

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: June 5, 2024

Second Reading Date: July 10, 2024

Presenter's Name and Title: Ricardo Collings, Code Compliance Commander

Prepared By: City Attorney Norman C. Powell

Temp. Ord. Number: O1829

Item Description: **FIRST READING** of Temp. Ord. #O1829, AMENDING THE CITY OF MIRAMAR CODE OF ORDINANCES CHAPTER 10, ARTICLE III, RENAMING THE ARTICLE "ABANDONED REAL AND PERSONAL PROPERTY;" ADDING NEW SECTIONS 10-51 ENTITLED, "PURPOSE AND INTENT," 10-52 ENTITLED "DEFINITIONS," 10-53 ENTITLED, "APPLICABILITY," 10-54 ENTITLED "APPLICABILITY," 10-54 ENTITLED "PENALTIES," 10-55 ENTITLED "PLACEMENT OF ABANDONED PROPERTY," 10-56 ENTITLED "PUBLIC NUISANCE," 10-57 ENTITLED "NOTIFICATION PROCEDURE," 10-58 ENTITLED "REMOVAL OF ABANDONED PERSONAL PROPERTY," 10-59 ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY," 10-60 ENTITLED "MAINTANENCE REQUIREMENT;" PROVIDING FOR THE IDENTIFICATION, REGULATION, LIMITATION, AND REDUCTION OF ABANDONED REAL AND PERSONAL PROPERTY WITHIN THE CITY; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Consent Resolution Ordinance Quasi-Judicial Public Hearing

Instructions for the Office of the City Clerk: None

Public Notice – As required by the Sec. ____ of the City Code and/or Sec. ____, Florida Statutes, public notice for this item was provided as follows: on ____ in a ____ ad in the ____; by the posting the property on ____ and/or by sending mailed notice to property owners within ____ feet of the property on ____ (fill in all that apply)

Special Voting Requirement – As required by Sec. ____, of the City Code and/or Sec. ____, Florida Statutes, approval of this item requires a ____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes No

Exempt from Business Impact Estimate: Yes No

REMARKS: None

Content:

- Agenda Item Memo from the City Manager to City Commission
- Ordinance TO1829

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Miramar's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

AMENDING THE CODE OF ORDINANCES CHAPTER 10, ARTICLE III RENAMING THE ARTICLE "ABANDONED REAL AND PERSONAL PROPERTY;" ADDING NEW SECTIONS 10-51 ENTITLED "PURPOSE AND INTENT," 10-52 ENTITLED "DEFINITIONS," 10-53 ENTITLED "APPLICABILITY," 10-54 ENTITLED "PENALTIES," 10-55 ENTITLED "PLACEMENT OF ABANDONED PROPERTY," 10-56 ENTITLED "PUBLIC NUISANCE," 10-57 ENTITLED "NOTIFICATION PROCEDURE," 10-58 ENTITLED "REMOVAL OF ABANDONED PERSONAL PROPERTY," 10-59 ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY," 10-60 ENTITLED "MAINTANENCE REQUIREMENT;" PROVIDING FOR THE IDENTIFICATION, REGULATION, LIMITATION, AND REDUCTION OF ABANDONED REAL AND PERSONAL PROPERTY WITHIN THE CITY; MAKING FINDINGS PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Miramar is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Miramar is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:

¹ See Section 166.041(4)(c), Florida Statutes.

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Miramar hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The Code Compliance Ordinance for abandoned personal and real property is being updated to reflect and align the City's definitions and language terminologies for the City's Code of Ordinances.


2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Miramar, if any:
 - (a) An estimate of direct compliance costs that businesses may reasonably incur;
 - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
 - (c) An estimate of the City of Miramar's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City of Miramar staff solicited comments from businesses in the City of Miramar as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Miramar's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners
FROM: Dr. Roy L. Virgin, City Manager 
BY: Delrish L. Moss, Police Chief
DATE: May 30, 2024
RE: FIRST READING of Temp. Ord. No. O1829 amending the Code of Ordinances Chapter 10, Article III

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1829, accepting and adopting the amendments to the City Code of Ordinances Chapter 10, Article III, renaming the article “Abandoned Real and Personal Property,” Adding new sections 10-51 entitled “Purpose and Intent”.

ISSUE: City Commission approval is required to amend the City Code to reflect updated terminologies and methodologies for the City’s Code of Ordinances.

BACKGROUND: The amendment provides for updated definitions and revisions to the code. The amendment also provides updates to Article III and the flow control component in the Article.

DISCUSSION: Chapter 10 of the City Code outlines the definitions and procedures for the City's Code of Ordinance. The existing Code should be amended to align with the City's current procedures for responding to abandoned properties. This ordinance proposes additions to Article III—Property Maintenance Section 10-50 to 10-65.

ANALYSIS: The proposed addition will provide additional safety measures and prevent the deterioration of property. The proposed additions to Article III – Property Maintenance include:

- Adding definitions to support the new code section requiring an annual registration for abandoned properties.
- Requires an application to be registered annually with the Code Department.
- Establishes a registration fee to be included in the City Fee Schedule.

- Requires that abandoned properties are kept free of overgrown vegetation, litter, graffiti, and discarded personal property; and
- Provides standards for maintaining a secured abandoned property.
- Allow accessibility onto the property by municipal personnel when maintenance is required.

Temp. Ord. No. 1829
4/3/24
5/26/24

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 10, ARTICLE III, RENAMING THE ARTICLE "ABANDONED REAL AND PERSONAL PROPERTY;" ADDING NEW SECTIONS 10-51 ENTITLED "PURPOSE AND INTENT," 10-52 ENTITLED "DEFINITIONS," 10-53 ENTITLED "APPLICABILITY," 10-54 ENTITLED "PENALTIES," 10-55 ENTITLED "PLACEMENT OF ABANDONED PROPERTY," 10-56 ENTITLED "PUBLIC NUISANCE," 10-57 ENTITLED "NOTIFICATION PROCEDURE," 10-58 ENTITLED "REMOVAL OF ABANDONED PERSONAL PROPERTY," 10-59 ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY," 10-60 ENTITLED "MAINTANENCE REQUIREMENT;" PROVIDING FOR THE IDENTIFICATION, REGULATION, LIMITATION, AND REDUCTION OF ABANDONED REAL AND PERSONAL PROPERTY WITHIN THE CITY; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, articles of personal property are and will in the future be abandoned in the streets and on private property within the City; and

WHEREAS, there are or may in the future be articles of personal property left about the City other than junkyards; and

WHEREAS, such conditions tend to impede traffic or interfere with the enjoyment and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to children and adults and interfere with the comfort and well-being of the City's residents; and

Ord. No. _____

Temp. Ord. No. 1829
4/3/24
5/30/24

WHEREAS, it is in the best interest of the public to provide adequate protection of public health, safety and welfare, which requires that such conditions be regulated, abated, or prohibited.

WHEREAS, it is also in the best interest of the public for the City to establish a process to address the deterioration and blight of City neighborhoods caused by an increasing amount of abandoned, foreclosed, or distressed real property located within the city, and to identify, regulate, limit and reduce the number of abandoned properties located within the City; and

WHEREAS, the City Commission finds that it is necessary for the City to establish a registration program as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned vacant and foreclosed properties within the City; and

WHEREAS, words with a single underline shall constitute additions to the original text, and strike-through-text shall constitute deletions to the original text; and asterisks indicated omitted an unchanged material.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: Recitals. That the foregoing “**WHEREAS**” clauses are hereby adopted as legislative findings of the City of Miramar Commission and are hereby ratified and confirmed as being true and correct and are made a specific part of this.

Temp. Ord. No. 1829
4/3/24
5/30/24

Section 2: Findings. The City Commission finds the proposed amendments to Chapter 10, Article III, entitled “Junked, Wrecked, Abandoned Property,” to implement a procedure for the disposition of personal property abandoned in the streets and on private property within the City because such conditions tend to impede traffic or interfere with the enjoyment and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to children and adults, interfere with the comfort and wellbeing of the public. The City Commission further finds that it is necessary to establish a process to address the deterioration and blight of city neighborhoods caused by an increasing amount of abandoned, foreclosed, or distressed real property located within the City, and to identify, regulate, limit, and reduce the number of abandoned properties located within the City. The City further finds that it is necessary to establish a registration program as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned vacant and foreclosed properties.

Section 3: Adoption. That the City Commission of the City of Miramar, Florida, hereby passes and adopts the ordinance enacting the proposed Amendment to the City Land Development Code, as incorporated herein.

Section 4: That Chapter 10, Article III, entitled “Junked, Wrecked, Abandoned Property,” of the Code of the City of Miramar, Florida, is hereby amended as follows.

Temp. Ord. No. 1829
4/3/24
5/30/24

ARTICLE III. - ~~JUNKED, WRECKED, ABANDONED PROPERTY~~
ABANDONED REAL AND PERSONAL PROPERTY

Sec.10-51. Purpose and Intent.

It is the purpose and intent of the City Commission to establish a process to identify, regulate, limit, and reduce the amount of abandoned personal and real property located within the City. It is the City Commission's further intent to establish an abandoned residential property program to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned properties.

Sec. 10-52. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned personal property means wrecked or derelict property which has been left abandoned and unprotected from the elements and shall include, but not be limited to, wrecked, inoperative or partially dismantled motor vehicles, trailers, boats, machinery, refrigerators, washing machines, plumbing fixtures, furniture, and any other similar articles which are left abandoned and unprotected from the elements.

Abandoned real property means any real property that is vacant and is under a current notice of default or notice of mortgagee's sale, or both, or pending tax assessor's lien or property that has been the subject of a foreclosure sale where the title was retained by the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

Temp. Ord. No. 1829
4/3/24
5/30/24

Accessible property means real property that is accessible through a compromised or broken gate, fence, wall, or similar opening.

Accessible structure means a structure or building that is unsecured, open, or compromised in any way that allows access to the interior space by any unauthorized persons.

Evidence of vacancy means any condition that on its own, or combined with other conditions, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, the presence of overgrown or dead vegetation, accumulation of abandoned personal property, as defined above, statements of vacancy by neighbors, delivery agents or government agents, and other evidence that leads to a conclusion that the property is vacant.

Foreclosure means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt when the borrower defaults.

Enforcement officer means any law enforcement officer, building official, zoning inspector or code enforcement officer employed by or assigned to the City.

Private property means all lands and their improvements other than public lands and Improvements.

Public property means all canals, waterways, lands, and improvements owned by a governmental body or any governmental agency, including but not limited to easements and rights-of-way, but excluding the campus of any institution of the state university system.

Temp. Ord. No. 1829
4/3/24
5/30/24

Residential building means any improved real property, or portion of such property, situated in the City, which is designed or permitted to be used for dwelling purposes, and shall include the buildings and structures located on such improved real property.

Vacant means any building or structure that is not legally occupied.

Sec. 10-53. Applicability.

This Article shall be considered cumulative to and is not intended to supersede any other law or provision applicable to abandoned real or personal property but shall rather be an additional remedy available to the City above and beyond any other state, county or local law or regulation.

Sec. 10-54. Penalties.

Any person who shall violate the provisions of this Article shall be subject to the penalties provided in Section 1-8 of the City Code of Ordinances.

Sec. 10-55. Placement of abandoned personal property prohibited.

(a) It shall be unlawful for any person to abandon or deposit personal property upon private property:

(1) without the private property owner's consent; or

(2) in violation of this section or any other applicable law, ordinance, or regulation.

(b) Nothing in this section shall be deemed to apply to abandoned personal property authorized to be left on private business property properly operated, licensed and zoned in the City for the purpose of accepting abandoned property, such as, but not limited to, one that accepts charitable donations of personal property.

Temp. Ord. No. 1829
4/3/24
5/30/24

Sec. 10-56. Public Nuisance.

All abandoned personal property and abandoned real property are declared to be a public nuisance, the abatement of which pursuant to the City's police power is declared to be necessary for the health, welfare, and safety of the residents of the City.

Sec. 10-57. Notification Procedure.

When an enforcement officer determines that an article of personal property having nominal salvage value appears to be abandoned upon private property, the officer shall:

(1) Cause a notice to be placed upon such abandoned personal property in substantially the following form:

NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED PROPERTY:

(setting forth brief description) LOCATED AT:

(setting forth brief description of location) is:

IMPROPERLY STORED AND IS IN VIOLATION OF

(setting forth ordinance violated)

AND MUST BE REMOVED WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE; OTHERWISE, IT SHALL BE PRESUMED TO BE ABANDONED

PROPERTY AND WILL BE REMOVED. (setting forth the date of posting of notice).

Temp. Ord. No. 1829
4/3/24
5/30/24

SIGNED

(setting forth name, title, address, and telephone number of enforcement officer).

Such notice shall be not less than eight inches by ten inches and be sufficiently weatherproofed to withstand normal exposure to the elements.

(1) The enforcement officer shall also make reasonable effort to ascertain the name and address of the owner of the abandoned property and, if such address is reasonably available, the officer shall mail by certified and regular mail a copy of the notice to the owner on or before the date of posting the above-described notice on the abandoned personal property.

(2) The enforcement officer shall mail by certified and regular mail a copy of the above described notice to the owner of the real property upon which the abandoned personal property is located, as shown by the Broward County real estate tax records, on or before the date of posting such notice.

Sec. 10-58. Removal of abandoned personal property.

(a) If at the end of ten days after posting notice under this article, the owner or any person interested in such abandoned personal property described in the notice has not removed it, the enforcement officer may cause the article of abandoned personal property to be removed.

(b) The City reserves the right to file a lien on both personal and or abandoned property and recoup any cost.

Temp. Ord. No. 1829
4/3/24
5/30/24

Sec. 10-59. Registration of abandoned real property.

(a) Any mortgagee who holds a mortgage on real property located within the City shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, prior to the issuance of a notice of default. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within ten days of the inspection, register the property with City Code Compliance Department, on forms provided by the City.

(b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or designee monthly until:

(1) the mortgagor or other party remedies the default, or

(2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten days of that inspection, register the property on forms provided by the City.

(c) Registration pursuant to this section shall contain the name of the mortgagee, the direct mailing address of the mortgagee, a direct contact name and telephone number of mortgagee and, in the case of a corporation, any similar entity or out-of-area mortgagee, the local property management company responsible for the security and maintenance of the property.

(d) An annual registration fee in the amount of \$100.00 shall accompany the registration form.

(e) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

Temp. Ord. No. 1829
4/3/24
5/30/24

(f) Properties subject to this section shall remain under the annual registration requirement. security and maintenance standards of this section as long as they remain vacant. The registration shall be renewed on the first day of October of each year following the initial date of registration.

(g) Any person, corporation or similar entity that has registered property under this section must report any change of information contained in the registration within ten days of the date of the change.

Sec. 10-60. Maintenance requirements.

(a) Properties subject to this article shall be kept free of weeds, overgrown vegetation, trash, litter, junk, debris, building materials, stagnant water, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), discarded personal property such as, but not limited to, furniture, clothing, large or small appliances, materials or any other items that would lead a reasonable person to conclude from the appearance of the real property that it is abandoned.

(b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(b) Yard areas shall be landscaped and maintained in accordance with the City code.

(c) Landscaping shall include, but not be limited to, grass, ground cover, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation.

Temp. Ord. No. 1829

4/3/24

5/30/24

(d) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required landscaping and removal of all trimmings.

(e) Anybody of or area containing water including but not limited to a pool or spa, natural or man-made, which lacks flow, or which is or may become a breeding ground or feeding area for mosquitoes, rodents, snakes, or any species of insect or animal, or which constitutes or may become a habitat for disease-bearing organisms, or which is or may become a host for algae or other growth associated with stagnant water, must be maintained by the mortgagee. Pools and spas shall comply with the enclosure requirements of this Code and the Florida Building Code.

(f) Failure of the mortgagee or property owner of record or both to properly maintain the property may result in citation by the City's code enforcement department. Pursuant to a finding and determination by the City's special magistrate, the City may take the necessary action to ensure compliance with this section.

Sec. 10-61. Security Requirements.

(a) Properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow any person to access the interior of the property or structure. Broken windows shall be secured by reglazing or boarding. Any and all boards placed on windows and doors shall be painted to match the structure.

Temp. Ord. No. 1829
4/3/24
5/30/24

(c) If the property is owned by a corporation, or similar entity or out of area mortgagee, a local property management company shall be contracted to perform weekly inspections to verify compliance with the requirements of this section, and any other applicable laws.

(d) Abandoned real property shall be posted with the name and 24-hour contact telephone number of the local property management company. The posting shall be no less than 18 inches x 24 inches, and shall use a font that is visible and can be read from a distance of 45 feet. The posting shall contain the following language:

THIS PROPERTY IS MANAGED BY:

TO REPORT PROBLEMS OR CONCERNS CALL:

The posting shall be placed on the interior of a window facing the street in the front of the property so it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible from the street, or if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street in the front of the property. Exterior posting shall be constructed of and printed with weather-resistant materials.

(e) The local property management company shall inspect the property on a weekly basis to ensure that the property is in compliance with this Article.

Temp. Ord. No. 1829
4/3/24
5/30/24

(f) Failure of the mortgagee, or property owner of record or both to properly maintain the property may result in a citation by the City's code enforcement department. Pursuant to a finding and determination by the City's code enforcement special magistrate, the City may take all necessary action to ensure compliance with this section.

(g) The Trespass Affidavit Per Florida Statue Section 810.08 should be completed and followed with all its requirements.

Sec. 10-62. Opposing, obstructing enforcement officer; penalty.

Whoever opposes, obstructs, or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this article, upon conviction shall be punished as provided by law.

Sec. 10-63. Immunity of enforcement officer.

Any enforcement officer or any person authorized by the enforcement officer shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon real property while in the discharge of duties imposed by this Article.

Sec. 10-64. Additional Authority.

The City Code Compliance Manager shall have authority to require the mortgagee, or owner of record of any property affected by this section or both to implement additional maintenance or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard, or other measures as may be reasonably required to prevent unauthorized entry or occupation upon or within any structure on the property.

Temp. Ord. No. 1829
4/3/24
5/30/24

Sec. 10-65. Adoption of rules; expenditure of funds; declaration of City purpose.

The City Commission is authorized and empowered to and expend City funds as may be reasonably necessary and available to carry out the terms of this Article, the expenditure of such funds being declared a proper City purpose.

Section 3. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance, are repealed to the extent of such conflict.

Section 4. That if any section, clause, or provision of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5: Repealer. That all sections or parts of sections of the Land Development Code of the City, all Ordinances and part of Ordinances, all Resolutions or parts of Resolutions determined by a court of law to be inconsistent or in conflict with this Ordinance are hereby repealed.

Section 6: Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, Section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

Temp. Ord. No. 1829
4/3/24
5/22/24

Section 7: Interpretation. That it is the intention of the City Commission, and it is hereby ordained, that the provisions and revisions of this Ordinance shall become and be made a part of the Code of the City of Miramar; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word. That in interpreting this Ordinance, underlined words indicate additions to existing text, and stricken through words include deletions from existing text. Amendments made to the Ordinance on second reading are double underlined.

Section 8: Scrivener's Error. The City Attorney is hereby authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk.

Section 9: Codification. That it is the intention of the City Commission of the City of Miramar that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miramar, Florida. The sections of this Ord. Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Article," "Division," or "Section," or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 10: Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

Temp. Ord. No. 1829
4/3/24
5/30/24

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Commissioner Yvette Colbourne	_____
Vice Mayor Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

Ord. No. _____