

ORDINANCE NO. 2004-14-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 33-8 OF THE CODE OF MIAMI-DADE COUNTY AS ADOPTED BY SECTION 8.3 OF THE CHARTER OF THE CITY OF MIAMI GARDENS, TO CREATE A NEW SECTION ENTITLED "CERTIFICATES OF USE", CREATING DEFINITIONS; PROVIDING FOR THE REQUIREMENT OF A CERTIFICATE OF USE; PROVIDING FOR APPLICATION PROCEDURES; PROVIDING FOR SPECIFIC GROUNDS FOR DENIAL; PROVIDING FOR RENEWALS OF CERTIFICATES OF USE; PROVIDING FOR A DISPLAY OF CERTIFICATES; PROVIDING FOR DUTIES OF THE CITY; PROVIDING FOR EXAMINATION OF RECORDS; PROVIDING FOR RIGHT OF INSPECTION; PROVIDING FOR THE TERM OF CERTIFICATES OF USE AND TRANSFER; PROVIDING FOR FEES UTILIZING AN ADOPTED ZONING FEE SCHEDULE; PROVIDING FOR USE OF THE ZONING CLASSIFICATION MANUAL; PROVIDING FOR APPROVAL OF BUSINESS LOCATIONS; PROVIDING FOR LOST OR STOLEN CERTIFICATES; PROVIDING FOR CIRCUMSTANCES UNDER WHICH A CERTIFICATE MAY BE DEEMED NULL AND VOID OR ILLEGAL; PROVIDING FOR REVOCATION PROCEDURES PURSUANT TO WHICH A CERTIFICATE OF USE MAY BE REVOKED; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, requiring an annually renewable certificate of use allows the City the legal means to routinely inspect local business locations to ensure compliance with all applicable codes, thereby helping to ensure the safe and legal operation of said businesses within the City, and

WHEREAS, the purpose of the issuance of a Certificate of Use is to aid in regulating against violations of the Code of Ordinances of the City of Miami Gardens,

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. Section 33-8 of the Code of Miami Dade County, as adopted by the City of Miami Gardens, is hereby repealed.

Section 2. There is hereby created a "Certificate of Use" Ordinance in the City of Miami Gardens.

Section 3. 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:

Business means and includes all vocations, occupations, professions, enterprises, establishments, and all activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on or from any premises in the City; "Business" does not include the customary activities of religious, charitable, non-profit service clubs and organizations, or educational nonprofit institutions as those terms are defined in Chapter 205, F.S. as may be amended.

Certificate of Occupancy is a document issued by the Building Official certifying that he/she reasonably believes a building, or part thereof, and its occupancy to be in compliance with the minimum standards of safety, as set forth in the South Florida Building Code, prior to the buildings occupancy and after its inspection and that said building is in conformity with all other applicable laws and regulations.

Certificate of Use is a document issued by the City Manager, or his designee verifying the zoning use classification of any business within any approved structure or building or unit therein, prior to its occupancy and after inspection of the premises and

proof of compliance with all the requirements of the City's Code of Ordinances and all other applicable laws and regulations.

City shall refer to the City of Miami Gardens and/or the City Manager, or his/her Designee.

Person means any individual, firm, partnership, joint venture, syndicate, or other group or combination acting as a unit, association, corporation, estate, trust, business trust, trustee, executor, administrator receiver or other fiduciary.

Place of business means any structure used for the purpose of exercising the privilege of engaging in business within the City limits.

Structure means anything constructed or erected the use of which requires rigid location on the ground, or attachment to something having a permanent location on the ground, including but not limited to buildings, individual units within a building, and trailers/construction trailers.

Section 4. Certificate of Use Required.

(A) It is hereby deemed unlawful for any person to open or operate any business and/or occupy any structure within the City limits for the privilege of engaging in any business without first obtaining the required Certificate of Use.

(B) No structure used for the purpose of exercising the privilege of doing business within the City limits shall be used or occupied, or any existing use enlarged, or any new use made of any land, body of water, or structure, without first obtaining a Certificate of Use therefore from the City as may be required herein.

(C) The Certificate of Use shall be renewable annually for all existing, new, and future business use classifications on any land, body of water, and or in any structure including the individual units within said structure within the City limits; including but not limited to those type of businesses as indicated in the City Business Zoning Classification Manual as adopted herein.

(D) A separate Certificate of Use shall be obtained for each place of business and for each corporation and/or legal entity within each place of business.

(E) It shall be the duty of every person owning, operating, or purchasing any business within the City limits to comply with the requirements of this Ordinance prior to opening any business and/or occupying structure.

(F) At the time of adoption of this Ordinance, all legally established business locations within the City limits operating as permitted or authorized under their existing and lawfully issued certificates of use from Miami-Dade County, shall not be required to obtain an original certificate of use from the City of Miami Gardens. However, all such businesses must comply with all other sections of this Ordinance including but not limited to the renewal of all such certificates of use as governed herein.

Section 5. Term of Certificate of Use and transfer.

(A) No Certificate of Use shall be issued for more than one year, and all certificates shall expire on September 30th of each year.

(B) Certificates of Use may be issued for a fractional portion of a year, but no Certificate of Use shall be issued for a fractional portion of a month.

(C) When there is a change of use, business, business ownership or business name the application for Certificate of Use shall be treated as new application.

Section 6. Due date for payment of Certificate of Use Fee.

(A) Certificates shall available for issuance by the City, commencing on August 1st of each year. Both the renewal and renewal fee shall be due on October 1st of each year. If October 1st falls on a weekend or holiday, the fee shall be due and payable on or before the first working day following October 1st. Those certificates not renewed by October 1st shall be considered delinquent and subject to a delinquency penalty of ten percent (10%) for the month of October, plus an additional five percent (5%) penalty for each month of delinquency thereafter until paid; provided, that the total delinquency penalty shall not exceed 25% of the fee due.

(B) Any person exercising the privilege of engaging in or managing any business without first obtaining a certificate of use, if required under this article, shall be subject to a penalty of 25 % of the fee determined to be due, in addition to any other

penalty provided by law or ordinance.

Section 7. Fees:

Fees to be charged for the purpose of administering this Ordinance are hereby imposed as follows:

(A) The Code Enforcement and Licensing Department shall collect all fees due and owing to the City as provided herein.

(B) The fees for Certificates of Use and renewals thereof shall be charged prescribed in the zoning fee schedule as adopted from Miami Dade County as set forth in Exhibit "A" attached hereto and incorporated herein by reference, as may be modified from time to time. These fees enumerate an original fee and a renewal fee: for all those use classes not specifically enumerated with a renewal fee the, renewal fee shall be the same as the original fee.

(C) An application fee of \$10.00 shall be assessed for the processing of a new application for Certificate of Use.

(D) Inspections of the applicant's business premise shall be scheduled at the convenience of both the enforcement officer/inspector and the business owner. If the business owner fails to be present at the time of the scheduled inspection or if the enforcement officer/inspector is denied and/or unable to gain access to the business premise to conduct the requisite inspection, the business owner may be subject to being charged a re-inspection fee of \$25.00 per re-inspection at the discretion of the City. Additionally, after three (3) such attempts and/or denials of access to the premises the City may pursue the revocation of any existing certificate(s) of use issued to the subject premises.

Section 8. Application Procedures.

(A) Procedures for issuance. No Certificate of Use shall be issued or granted to any person or location to engage in any business type use named, identified or encompassed by this article unless an application is filed with the City Manager, or his/her designee on forms provided for that purpose, disclosing the following:

- (1) a. The applicant's name and address and telephone number.

- b. The name of the business for which a certificate is sought.
 - c. The name and address of the owner and operator of the business and if a corporation, the names and addresses of each of its corporate officers and its resident or registered agent.
 - d. The type or classification of the business and the relationship of the applicant to the business.
 - e. The location in the city where the business will be operated.
 - f. The date of birth, social security number and driver's license number of the owner/operator and any applicable federal employer identification numbers.
 - g. If the applicant is a corporation or partnership, the full name of the corporation or partnership and the state of incorporation. Applicant must submit a copy of the articles of incorporation.
 - h. If the business is a corporation and is to be conducted under another name, the business name and county of registration under F.S. §865.09. Applicant must submit a copy of the fictitious name registration.
- (2) That there has been a site inspection of the applicant's business premises.
 - (3) That the City approved and assigned the zoning use classification.
 - (4) That the City has verified compliance with all applicable laws and regulations and has collected all applicable fees due to the City.

(B) Legality of Use. In the event there is a question as to the legality of a use, the City may require affidavits and such other information he/she may deem appropriate

or necessary to establish the legality of the use, before a certificate of use will be issued.

(C) Emergency Locator. The application shall contain a section designated "emergency locator." The applicant shall fill out as part of the Certificate of Use application the names, business and residence addresses and residence and business phone numbers of the owner, and the manager or other persons to be notified in case of fire or other emergencies. Any changes in such information during the period for which the Certificate of Use is issued shall be made to the City Manager, or his/her designee, in writing.

(D) Certificate number. All applications and certificates shall be assigned a number, which may be an individual's social security number, and a corporation's federal tax number, or such other uniform method of numbering selected by the City Manager or his designee.

(E) Statement of accuracy. The application form shall contain the following language:

"The undersigned has carefully reviewed this application and all information contained herein has been freely and voluntarily provided. All facts, figures, statements contained in this application are true, correct, and complete to the best of my knowledge and belief. The applicant also acknowledges and understands that the issuance of a City Certificate of Use is contingent upon a zoning compliance inspection and in conjunction with the issuance of a Certificate of Occupancy, and City Occupational License. Failure to comply with the City's Ordinances may result in revocation of said Certificate of Use. "

(F) Name, signature. The applicant shall print and sign his or her name to the application immediately after the statement required in subsection (E) above. In the case of a corporation, an officer shall be required to sign the application in his individual capacity and not solely as a corporate agent.

(G) Obtaining a Certificate of Occupancy prior to issuance of Certificate of Use. All businesses required to obtain a Certificate of Occupancy pursuant to §307 of the South Florida Building Code, must do so prior to the issuance of a Certificate of

Use. The City shall honor any Certificate of Occupancy issued by Miami Dade County provided that the occupancy for which the certificate was issued remains the same.

(H) State License, Certification, Registration Required. All businesses and professions regulated by the state must submit a copy of their current state license, certification, and/or registration prior to the issuance of their Certificate of Use thereafter each year at time of renewal. Only the state license itself, or in the case of the state hotel and restaurant Council, the receipt issued by the state, shall constitute proof of current state license, or the same as may be submitted along with the occupational license application requirements.

(I) Grease Trap Registration required. All restaurants are required to obtain a Grease Trap Permit from the Miami-Dade County Department of Environmental Resources Management and shall provide a copy of said permit to the Code Enforcement and Licensing Department prior to the issuance of any Certificate of Use.

(J) Fire Inspection required. All businesses that require an annual inspection from the Miami-Dade County Fire Department shall submit a copy of the County fire inspection report or any such form indicating that said business was inspected and passed the requisite inspection; prior to the issuance of any Certificate of Use.

Section 9. Grounds for denial.

The City shall have the authority to deny an application for a Certificate of Use on the following grounds:

- (1) That the applicant has failed to disclose or has misrepresented a material fact or any information required by this article in the application.
- (2) That the applicant desiring to engage in the business, as described in the application, has selected a proposed site or type of business activity, which does not comply with the City's zoning ordinance or other laws of the City.
- (3) That the applicant has failed to obtain a Certificate of Occupancy as required by Section 307 of the South Florida Building Code.

(4) The Certificate of Occupancy for the proposed business location has been denied, suspended or revoked for any reason.

(5) The issuance of a Certificate of Use is based on the applicant's compliance with specific provisions of federal, state, city, or county law, with respect to the specific zoning use, and the applicant has violated such specific provisions.

(6) The applicant has violated any provision of this article and has failed or refused to cease or correct the violation within 30 days after notification thereof.

(7) The premises have been condemned by the local health authority for failure to meet sanitation standards or the local authority has condemned the premises because the premises are unsafe or unfit for human occupancy.

(8) The applicant is delinquent in the payment of any certification fee imposed under this Article; Code Enforcement Lien; Special Assessment Lien and/or any other debt or obligation due to the City under State or Local Law.

(9) The applicant has been denied a City Occupational License, or the applicant's Occupational License has been revoked within the last twelve (12) months.

(10) The applicant fails to permit inspection by the City as required and prescribed herein.

Any person, whose application has been denied as provided herein in this Ordinance, shall have the right to request a public hearing. Such application shall be governed in accordance with any City or local ordinance or law.

Section 10. Renewal of Certificate of Use.

(A) Renewed certificates will not be issued until all delinquent payments for any fee imposed under this Article; Code Enforcement Lien; Special Assessment Lien and/or any other debt or obligation due to the City under State or Local Law has been paid in full.

(B) The City shall endeavor to notify all certificate holders that their Certificates of Use are due for renewal. However, if such certificate holder does not receive a renewal notification, it is his/her responsibility to renew the Certificate of Use prior to October 1st, to avoid delinquent charges.

(C) Any current Certificate of Use may, at the discretion of the City, be renewed for each new certificate year without the need for a new application, provided the applicant signs the following certification:

"I the undersigned hereby certifies that the Certificate of Use for which I am now applying is one for a renewal of a current Certificate of Use which is now in full force and effect. I have not changed the authorized use of the premises nor have I made any physical or structural changes to the premises and do not plan to make any physical or structural changes to the premises."

(D) Any renewal application in which the applicant changes the authorized use of the premises or makes or proposes any physical or structural changes in the premises, shall be reprocessed as if the Certificate were a new application.

Section 11. Display of Certificate.

Each Certificate of Use issued by the City shall be displayed conspicuously at the place of business and in such a manner as to be open to the view of the public and subject to the inspection of all duly authorized officers of the City. Failure to display the certificate in the manner provided for in this section shall subject the owner/operator to the applicable civil penalties in accordance with the City Code Enforcement Ordinance and/or as permitted by law.

Section 12. Duties of City.

The City, among other duties, shall collect all fees and shall issue certificates in the name of the City to all persons or businesses qualified under the provisions of this article and shall:

- (A) Investigate and determine the eligibility of any applicant for a certificate and/or the current status of any certificate as prescribed in this article.
- (B) Examine the books and records of any applicant or certificate holder when reasonably necessary to the administration and enforcement of this article.
- (C) Verify that the applicant is in compliance with all applicable laws and regulations of the City as prescribed herein.
- (D) Accept applications for certificates of use and review for completeness.
- (E) Inspect or cause the inspection of the applicants' premises for compliance with the applicable building codes identifying any necessary building permits and/or any building code violations.
- (F) Coordinate with Miami-Dade County Fire Department and the Department of Environmental Resources Management to obtain copies of respective approvals as necessary.
- (G) Approve and assign the zoning use classification for each business premise.
- (H) Notify any applicant of the acceptance or rejection of his application and shall, upon his refusal of any certification, at the applicant's request, state in writing the reasons therefore and deliver them to the applicant.

Section 13. Examination of records.

It shall be unlawful for any person and/or business to refuse to allow the City to investigate and examine relevant records for the purpose of determining whether such

person and/or business has a certificate and/or whether such person and/or business shall be issued a certificate.

Section 14. City Business Zoning Classification Manual.

Zoning classifications are hereby categorized pursuant to the Zoning Classification Manual, as set forth in Exhibit "B" attached hereto and incorporated herein by reference, as may be modified from time to time. This manual is subject to any future land development regulations promulgated by the City.

Section 15. Approval of business location required.

No Certificate of Use shall be issued for any Business until the location of the Business is first approved by the City as to its compliance with zoning and other regulatory ordinances of the City.

Section 16. Lost or stolen Certificates, issuance of a duplicate.

A duplicate Certificate of Use can be issued by the City to replace any Certificate or special permit previously issued which has been lost, stolen, defaced or destroyed without any willful conduct on the part of the certificate holder upon the filing by the certificate holder of an affidavit sworn to before a notary public of this State attesting to that fact. A duplication fee of \$10.00 shall be charged for each duplicate certificate.

Section 17. Obtaining Certificate by false statement.

Any Certificate of Use obtained under the provisions of this Ordinance upon a misrepresentation of a material fact shall be deemed null and void and the certificate holder who was thereafter engaged in any business under such certificate shall be subject to enforcement action for doing same without a certificate of use with the same effect and degree as though no such certificate had ever been issued.

Section 18. Certificate of Use does not permit illegal activity.

The issuance or possession of a valid Certificate of Use obtained under the provisions of this Ordinance does not constitute an approval of any offense, illegal activity or act prohibited by law.

Section 19. Revocation of Certificates of Use.

The City is granted the authority and charged with the duty to revoke, refuse to renew or suspend any Certificate of Use as follows:

(A) A Certificate of Use issued under this Ordinance may be revoked, suspended, or renewal of said certificate refused on the following grounds.

- (1) The certificate holder has failed to disclose or has misrepresented a material fact or information required by this article in the application.
- (2) The certificate holder does not engage in the business as described in the application or has changed the use without authorization.
- (3) The certificate holder allows the premises to be utilized for solicitation for prostitution, pandering, lewd and lascivious behavior, sale, distribution or display of obscene materials or conduct; sale or possession of any controlled substances or narcotics, or for any other illegal purpose.
- (4) The Certificate of Occupancy for the proposed business location has been denied, suspended or revoked for any reason.
- (5) The issuance of a Certificate of Use is based on the applicant's compliance with specific provisions of federal, state, city or county law and the applicant has violated such specific provisions including but not limited to violations of Federal, State, or County criminal statutes, and/or violations of County and/or City Zoning, Occupational Licensing, and related Ordinances.
- (6) The applicant has violated any provision of this article and has failed or refused to cease or correct the violation after notification thereof.

(7) The premises have been condemned by the local health authority for failure to meet sanitation standards or the premises have been condemned by the local authority because the premises are unsafe or unfit for human occupancy.

(8) The applicant is delinquent in the payment of any certification fee imposed under this Article; Code Enforcement Lien; Special Assessment Lien and/or any other debt or obligation due to the City under State or Local Law.

(B) Procedure:

(1) The City may revoke, refuse to renew or suspend any Certificate of Use on any grounds set forth herein, above. The City shall issue a written Notice of Intent to Revoke and/or Suspend that shall set forth the grounds upon which the notice is issued, the corrections necessary for compliance, and the certificate holders right to request an administrative hearing in front of the City Special Master, and that said appeal must be taken within thirty (30) calendar days of the service of said notice.

(2) The thirty (30) calendar days shall be considered a warning period during which the noticed certificate holder may come into compliance as required herein. If compliance is achieved within said warning period the City shall void the revocation and the certificate holder shall dismiss any pending appeal.

(3) The notice shall be sent certified mail return receipt requested to the address provided in the application or the last known address of the applicant. Alternate service may be made by delivery of the notice of hearing to the place of business and/or posting such notice thereon. If there is no appeal taken by the certificate holder as provided herein; the Certificate of Use shall be automatically revoked. Upon

revocation of the Certificate of Use, the certificate holder shall immediately cease doing business in any location listed therein.

(4) The request for hearing before the Special Master to appeal the revocation notice shall stay any enforcement action and the certificate of use shall remain in effect unless, within the sole discretion of the City, it is determined that the grounds for denial represent an immediate threat to the health, safety, and/or welfare of the public.

(C) Scheduling and Conduct of Hearing.

(1) At any time prior to the expiration of thirty (30) days following the service of the notice of intent to revoke and/or suspend the Certificate of Use: the certificate holder may request in writing that the City schedule a hearing on the basis that he/she wishes to appeal the pending revocation notice. The City in consultation with the City Special Master shall set the matter down for hearing on the next regularly scheduled hearing date or as soon thereafter as practical, provided that the hearing date is not more than forty-five (45) calendar days from the date of the City's receipt of the timely request for appeal. The certificate holder shall receive a minimum of ten (10) days written notice of the hearing which shall set forth the time and place for the administrative hearing.

(2) The hearing shall be conducted by the Special Master.

(3) The proceedings at the hearing shall be recorded by the City Clerk, or his/her designee, and may be transcribed at the expense of the party requesting the transcript.

(4) The hearing shall be conducted in an informal manner and the formal rules relating to evidence and witnesses shall not apply, but fundamental due process shall be observed

and shall govern the proceedings. Any relevant evidence shall be admitted if the Special Master finds it competent and reliable, regardless of the existence of any common law or statutory rule to the contrary.

(5) Each party shall have the right to call and examine witnesses; to introduce exhibits; to cross-examine witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witnesses regardless of which party first called that witness to testify; and to offer rebuttal to the evidence.

(6) Requests for continuances will not be considered if not received by the Special Master at least seven (7) calendar days prior to the date set for the hearing.

(7) The proceedings at the hearing shall be conducted as follows:

- a. The City shall present testimony in evidence.
- b. The certificate holder shall then present testimony in evidence.
- c. Each side shall have the right of cross-examination at the conclusion of the others presentation.
- d. The Special Master shall have the right of inquiry.
- e. Each party shall have the right to present rebuttal evidence.
- f. Upon completion of the presentations, the hearing shall be closed, and the Special Master shall analyze the testimony and evidence of record and shall render a decision

either affirming or denying the determination of the City.

(8) The decision of the Special Master shall be reduced to writing and copies thereof shall be furnished to the City and certificate holder within five (5) business days of the hearing.

- a. This decision may be appealed by Writ of Certiorari within thirty (30) days of such written order to the Circuit Court of the Eleventh Judicial Circuit of the State of Florida, or by such other remedy as may be provided by Florida law.
- b. Upon the time period for such appeal having expired, and no such appeal having been filed, or upon the expiration of such appeal procedures resulting in the affirmation of the decision of the Special Master, the certificate shall stand automatically and immediately revoked and no new certificate shall be issued. Upon revocation, the certificate holder shall immediately cease doing business in any location listed therein.

(9) No application for a Certificate of Use shall be considered by the City until one (1) year after the date of any revocation or non-renewal.

Section 20. Right of Inspection.

(A) Any person applying for or obtaining a Certificate of Use shall be subject to an annual inspection of the place of business.

(B) For the purpose of enforcing the provisions of this code; city officials, inspectors, and enforcement officers shall have the right of inspection provided that said inspection shall be reasonable and scheduled at the convenience of the applicant or

certificate holder and the enforcement officer or inspector. The office of the City Attorney is hereby authorized to seek inspection warrants as necessary.

Section 21. Penalties for Violation.

Any person who violates any section of this Ordinance shall be subject to the penalties outlined in Ordinance No. 2004-11-27. Violations of this Ordinance may also be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a definite term not to exceed sixty (60) days in a municipal detention facility or other facility as authorized by law, or both such fine and imprisonment. Each day any violation or any provision of this Code or of any ordinance shall continue, shall constitute a separate offence.

Section 22. Conflict.

All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 23. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 24. Inclusion in Code:

It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 25. Effective Date:

This Ordinance shall become effective immediately upon its final passage.

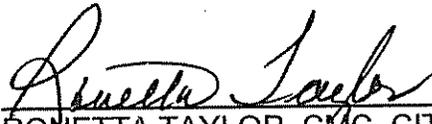
PASSED ON FIRST READING IN FULL ON THE 23rd DAY OF June, 2004.

PASSED ON SECOND READING BY TITLE ONLY THE 14th DAY OF July, 2004.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 14th DAY OF July, 2004.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. KNIGHTON, ESQ.
City Attorney

SPONSORED BY: Danny Crew, City Manager

MOVED BY: Vice Mayor Campbell
SECONDED BY: Councilman Bratton

VOTE: 5-0

Mayor Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon, II	<u> </u> (Yes)	<u> </u> (No) out of room
Councilwoman Audrey J. King	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> </u> (Yes)	<u> </u> (No) Out of town

(as amended 7/14/04)