

1998 ORDINANCES DOCKET

<u>NO.</u>	<u>DATE</u>	<u>TITLE</u>
98-01	01-06-98	AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA ADOPTING AND ENACTING A CITY CODE FOR THE CITY OF AVENTURA; PROVIDING FOR GENERAL PROVISIONS; ADMINISTRATION; ANIMALS; BUILDINGS AND BUILDING REGULATIONS; BUSINESS REGULATIONS; LICENSES AND PERMITS; CABLE COMMUNICATIONS; ELECTIONS; ENVIRONMENT; PLANNING AND ZONING; SOLID WASTE; STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; PROVIDING FOR PENALTY FOR VIOLATION; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING FOR WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.
98-02	02-03-98	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING A RESIDENCY POLICY FOR UTILIZATION OF AVENTURA FOUNDERS PARKS TO PROVIDE PRIORITY TO CITY RESIDENTS; ESTABLISHING A FEE SCHEDULE FOR NON RESIDENTS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.
98-03	02-03-98	AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING SECTION 1 OF CHAPTER 26, "ELECTIONS" PROVIDING THAT THE CITY CLERK SHALL CANVASS ELECTION RETURNS WITH THE ASSISTANCE OF THE DADE COUNTY SUPERVISOR OF ELECTION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.
98-04	02-17-98	AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING THE CITY CODE OF ORDINANCES BY ADDING A NEW CHAPTER ENTITLED "SATELLITE DISHES", PROVIDING FOR THE REGULATION OF THE INSTALLATION, MAINTENANCE, AND USE OF SATELLITE DISHES DESIGNED FOR OVER-THE-AIR RECEPTION OF TELEVISION BROADCAST SIGNALS,

MULTICHANNEL, MULTIPOINT DISTRIBUTION SERVICE, DIRECT BROADCAST SATELLITES, MULTIPOINT DISTRIBUTION SERVICE, INSTRUCTIONAL TELEVISION FIXED SERVICE, AND LOCAL MULTIPOINT DISTRIBUTION SERVICE; DELEGATING REVIEW AUTHORITY AND APPROVAL OF THE INSTALLATION OF SUCH DISHES TO THE CITY MANAGER; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

- 98-05 02-17-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING THE CITY CODE OF ORDINANCES BY ADDING A NEW CHAPTER, ENTITLED "WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS"; PROVIDING PURPOSE; PROVIDING DEFINITIONS; PROVIDING APPLICABILITY; PROVIDING GENERAL REQUIREMENTS AND MINIMUM STANDARDS; PROVIDING PERMITTED USES ON PUBLIC PROPERTY; PROVIDING PERMITTED USES ON PRIVATE PROPERTY; PROVIDING SPECIAL EXCEPTION USE; PROVIDING EQUIPMENT STORAGE; PROVIDING REMOVAL OF ABANDONED ANTENNAS AND TOWERS; PROVIDING NONCONFORMING USES; PROVIDING PROTECTION FOR RESIDENTS; PROVIDING PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.
- 98-06 02-17-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 18 "BUSINESS REGULATIONS, LICENSES AND PERMITS" AT SECTION 18-42 "TAX SCHEDULE," TO REVISE THE OCCUPATIONAL LICENSE TAX RATE FOR THE CLASSIFICATION OF "ASTROLOGER, PSYCHIC, FORTUNETELLER"; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- 98-07 03-03-98 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 97-25, WHICH ORDINANCE ADOPTED A BUDGET FOR THE 1997/98 FISCAL YEAR BY REVISING THE 1997/98 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

- 98-08 03-17-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; EXTENDING THE DURATION OF THE EXISTING BUILDING MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS WITHIN THE MARINA AREA AND THE HOSPITAL AREA, AS PREVIOUSLY IMPOSED PURSUANT TO ORDINANCE NO. 97-22 OF THE CITY OF AVENTURA; BY AMENDING SECTION 8 "TERM" OF ORDINANCE NO. 97-22 TO PROVIDE FOR EXTENSION OF SUCH MORATORIUM, SO AS TO ENABLE CITY'S COMPREHENSIVE PLAN TO BE COMPLETED AND IMPLEMENTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- 98-09 03-17-98 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 97-25, WHICH ORDINANCE ADOPTED A BUDGET FOR THE 1997/98 FISCAL YEAR BY REVISING THE 1997/98 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.
- 98-10 04-07-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE CITY CODE BY CREATING CHAPTER 4 OF THE CITY CODE "ALCOHOLIC BEVERAGES"; PROVIDING FOR THE REGULATION OF HOURS AND DAYS OF SALE AND LOCATION OF PLACE OF BUSINESS FOR SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR DEFINITIONS; REPLACING COUNTY ZONING RESTRICTIONS ON HOURS AND DAYS OF SALE AND LOCATION OF PLACE OF BUSINESS, MAINTAINING COUNTY ZONING DISTRICT REGULATIONS; PROVIDING FOR REGULATION OF CONDUCT CONCERNING HOURS AND DAYS OF SALE; PROVIDING FOR INSPECTIONS; PROVIDING FOR SEVERABILITY, PENALTY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.
- 98-11 04-07-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 97-20 WHICH PROVIDED THE TERMS AND CONDITIONS FOR THE OPERATION OF CABLE TELEVISION SYSTEMS AND PROCEDURES RELATING TO THE GRANT OF FRANCHISES; AMENDING SECTION 14.B, SECTION 15.G, SECTION 16.C, SECTION 18.E, F, G ,K, AND S; PROVIDING FOR CONFLICTS;

PROVIDING FOR SEVERABILITY; PROVIDING FOR A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

98-120 4-07-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED CABLE FRANCHISE AGREEMENT BY AND BETWEEN THE CITY AND COMCAST CABLEVISION OF BROWARD COUNTY, INC.; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

98-13 04-21-98 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE 98-02 WHICH ESTABLISHED A RESIDENCY POLICY FOR UTILIZATION OF AVENTURA FOUNDERS PARK; BY AMENDING SECTION 1 TO FURTHER DEFINE THAT PORTION OF FOUNDERS PARK FOR WHICH A RESIDENCY POLICY IS ESTABLISHED; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

98-14 04-21-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; PROVIDING FOR THE SEMI-ANNUAL APPOINTMENT OF VICE-MAYOR; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

98-15 05-19-98 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 97-25, WHICH ORDINANCE ADOPTED A BUDGET FOR THE 1997/98 FISCAL YEAR BY REVISING THE 1997/98 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

98-1605-19-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED CABLE FRANCHISE AGREEMENT BY AND BETWEEN THE CITY AND NARRAGANSETT SOUTH FLORIDA CATV LIMITED PARTNERSHIP (CABLEVISION COMMUNICATIONS) AUTHORIZING THE CITY

MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

- 98-17 06-09-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING SECTION 2-348 OF THE CITY CODE ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO UPDATE THE CIVIL PENALTIES SCHEDULE FOR CODE VIOLATIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**
- 98-18 07-07-98 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 97-25, WHICH ORDINANCE ADOPTED A BUDGET FOR THE 1997/98 FISCAL YEAR BY REVISING THE 1997/98 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**
- 98-19 07-07-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA ESTABLISHING INTERIM SERVICE FEES FOR PROPERTIES NOT YET INCLUDED IN THE COUNTY'S TAX ROLL; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
- 98-20 09-01-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA (THE "CITY"), PROVIDING FOR A BUILDING MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS WITHIN THE CITY CONCERNING ANY BUILDINGS PROPOSED TO BE CONSTRUCTED TO A HEIGHT IN EXCESS OF A CERTAIN NUMBER OF STORIES DESIGNATED BY THE CITY COMMISSION (THE "SPECIFIC HEIGHT THRESHOLD") AND CONCERNING ANY BUILDINGS WHICH ARE PROPOSED TO BE CONSTRUCTED IN EXCESS OF A HEIGHT WHICH WAS PREVIOUSLY AUTHORIZED BY DEVELOPMENT ORDER OR DEVELOPMENT PERMIT OR IN EXCESS OF A HEIGHT WHICH WAS PERMITTED AS OF RIGHT UNDER EXISTING LAND DEVELOPMENT REGULATIONS, EVEN IF NOT PROPOSED TO BE IN EXCESS OF THE SPECIFIC**

HEIGHT THRESHOLD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPLACEMENT OF MORATORIA PROVISIONS OF SECTION 33-319, ET. SEQ. OF THE MIAMI-DADE COUNTY CODE FOR THE SPECIFIC MATTERS ADDRESSED HEREIN; PROVIDING FOR EFFECTIVE DATE.

- 98-21 09-24-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF AVENTURA AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 2.2270 MILS PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE, WHICH IS 3.46% ABOVE THE ROLLED BACK RATE COMPUTED PURSUANT TO STATE LAW, FOR THE 1998 TAX YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- 98-22 09-24-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED TENTATIVE OPERATING AND CAPITAL BUDGET, AS REVIEWED AND APPROVED BY CITY COMMISSION AT THE REVIEW MEETING HELD ON JULY 20, 1998, AS THE CITY OF AVENTURA FINAL BUDGET FOR THE 1998/99 FISCAL YEAR, PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE
- 98-23 10-06-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA (THE "CITY"), AMENDING THE CITY CODE BY AMENDING CHAPTER 34 "PLANNING AND ZONING", BY AMENDING ARTICLE II "QUASI JUDICIAL MATTERS", BY CREATING SECTION 34-33 "PUBLIC STATEMENTS BY COMMISSIONERS" TO REQUIRE THE MAYOR AND COMMISSIONERS TO AVOID WORKING TO INFLUENCE PUBLIC OPINION UPON A QUASI JUDICIAL MATTER OR PUBLICLY EXPRESSING THEIR INTENTION TO VOTE FOR OR AGAINST A QUASI JUDICIAL MATTER PRIOR TO HEARING; PROVIDING FOR SEVERABILITY;

- PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.
- 98-24 11-17-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; EXTENDING THE DURATION OF THE EXISTING BUILDING MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS WITHIN THE MARINA AREA AND THE HOSPITAL AREA, AS PREVIOUSLY IMPOSED PURSUANT TO ORDINANCE NO. 97-22, AND AS AMENDED PURSUANT TO ORDINANCE NO. 98-08, OF THE CITY OF AVENTURA; BY AMENDING SECTION 8 "TERM" OF ORDINANCE NO. 97-22, AS AMENDED, TO PROVIDE FOR A FURTHER EXTENSION OF THE TERM OF SUCH MORATORIUM, SO AS TO ENABLE CITY'S COMPREHENSIVE PLAN TO BE COMPLETED AND IMPLEMENTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- 98-25 12-15-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE CITY CODE BY AMENDING CHAPTER 34 "PLANNING AND ZONING", AMENDING ARTICLE IV "ZONING" AT DIVISION I "GENERALLY" TO CREATE SECTION 34-95 "RESTRICTION UPON VARIANCE AND OTHER DEVELOPMENT APPLICATIONS"; TO PROHIBIT ACTION UPON APPLICATIONS PRIOR TO ABATEMENT OF VIOLATION; REQUIRING REMOVAL BOND UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE
- 98-26 12-15-98 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 98-22, WHICH ORDINANCE ADOPTED A BUDGET FOR THE 1998/99 FISCAL YEAR BY REVISING THE 1998/99 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.
- 98-27 12-15-98 AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE COMPREHENSIVE PLAN OF THE CITY OF AVENTURA (THE "PLAN"), PURSUANT TO SECTION 163.3161, ET SEQ. FLORIDA STATUTES, "LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT;" PROVIDING FOR

**SEVERABILITY; REPLACING PREVIOUSLY APPLICABLE
MIAMI-DADE COUNTY COMPREHENSIVE PLAN;
PROVIDING FOR AN EFFECTIVE DATE.**