



# City of Miami

## Legislation

### Ordinance 13711

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**File Number: 2566**

**Final Action Date: 11/16/2017**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2, SECTION 2-207 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/DEPARTMENTS/PLANNING, BUILDING AND ZONING DEPARTMENT/ZONING CERTIFICATE OF USE REQUIRED; ANNUAL REINSPECTION OF BUILDINGS AND PREMISES; FEES FOR INSPECTIONS AND ISSUANCE OF CERTIFICATES," MORE PARTICULARLY BY AMENDING SECTION 2-207(B)(1) TO EXTEND THE EXPIRATION TIME OF APPLICATIONS FOR CERTIFICATES OF USE FROM THIRTY (30) TO NINETY (90) WORKING DAYS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the current Code of the City of Miami, as amended ("City Code"), allows City of Miami ("City") Departments thirty (30) working days to complete inspections for businesses who have applied for Certificates of Use ("CU"); and

WHEREAS, CU inspections require the involvement of the Fire-Rescue Department, the Code Compliance Department, and the Building Department as well the Miami-Dade County Department of Environmental Resources Management ("DERM") and the State of Florida Health/Hotel and Restaurant Department (collectively, "Departments"); and

WHEREAS, the Departments must address regulatory, life, and safety matters prior to their approvals; and

WHEREAS, CU applicants are required to re-apply for a CU if the inspections are not completed within thirty (30) days and some of the inspections take longer than thirty (30) days, requiring CU applicants to continuously re-apply for a CU causing delays in CU permitting and creating unnecessary administrative steps for processing; and

WHEREAS, providing an extension of the time to complete the CU inspections from thirty (30) to ninety (90) days will improve efficiency and make the process less burdensome for applicants; and

WHEREAS, the City Commission, after careful consideration of this matter, deems it advisable and in the best interest of the general welfare of the City and its citizens to amend the City Code as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as fully set forth in this Section.

Section 2. Chapter 2, Article IV, Division 2, Section 2-207 of the City Code is hereby amended in the following the particulars:<sup>1</sup>

“CHAPTER 2

ADMINISTRATION

\* \* \* \*

ARTICLE IV - DEPARTMENTS

\* \* \* \*

Sec. 2-207. Zoning certificate of use required; annual reinspection of buildings and premises; fees for inspections and issuance of certificates.

\* \* \* \*

*(b) Certificates of use for new buildings and premises and for change of use.*

- (1) No new buildings or premises or part thereof and no existing building or premises when there has been a change of use in said building or premises, except one- and two-family residences, shall be occupied until a zoning certificate of use shall have been issued by the zoning office. Certificates of use shall not be issued until the premises have been inspected and found to comply with all code requirements of the zoning office, fire-rescue department and such other agencies as may have jurisdiction. All applications for certificates of use shall expire ~~30-ninety (90)~~ working days from the date of application if approval is not received for issuance of a certificate, unless the space is under construction with a valid building permit and approvals cannot be made until work is completed.

\* \* \* \*

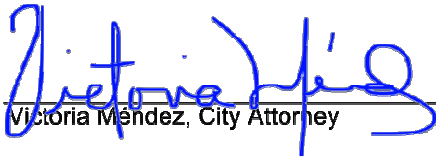
Section 3. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective immediately upon final reading and adoption thereof.<sup>2</sup>

<sup>1</sup> Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

<sup>2</sup> This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

APPROVED AS TO FORM AND CORRECTNESS:

A handwritten signature in blue ink, appearing to read "Victoria Mendez", is written over a horizontal line.

Victoria Mendez, City Attorney

10/2/2017