

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE'S CODE OF ORDINANCES BY AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE I, "IN GENERAL," SECTION 6-4, "PERMITS—APPLICATION GENERALLY" TO UPDATE REGULATIONS TO CONFORM WITH THE FLORIDA BUILDING CODE REQUIREMENTS FOR PERMITTING AND REMOVE OBSOLETE PROVISIONS RELATED TO SOLAR PHOTOVOLTAIC SYSTEMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of Miami Shores Village, Florida (the “Village”) finds it periodically necessary to amend its Code of Ordinances (the “Village Code”) in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, the existing building regulations references the value of construction work, including a \$100 threshold for requiring permits; and

WHEREAS, the existing building regulations also include provisions regarding the elimination of village permit fees for residential solar photovoltaic systems, which have become obsolete; and

WHEREAS, the Village Council desires to amend Chapter 6, “Buildings And Building Regulations,” to update regulations to conform with the Florida Building Code by removing the value threshold for requiring permits and removing obsolete provisions regarding residential solar photovoltaic systems; and

WHEREAS, the Village Council finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA:

Section 1. Recitals Adopted. Each of the above-stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Amendment To The Village Code. That Chapter 6, “Buildings and Building Regulations,” Section 6-4.— Permits Application Generally” of the Village Code of Ordinances is hereby amended as follows:

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 6-4. - Permits—Application generally.

(a) *Required.* No person shall erect or construct or proceed with the erection or construction of any building or structure, nor add to, enlarge, move, improve, alter, convert, extend or demolish any building or structure, or any group of buildings and/or structures under one or joint ownership whether on one or more lots or tracts of land, ~~or cause the same to be done where the cost of the work is \$100.00 or more in value; and on any remodeling or alteration job of any value;~~ without first obtaining a permit therefor from the building department, except no permit shall be required to paint a single family residence, ~~and notwithstanding anything to the contrary herein, no village permit fees shall be charged in connection with permits for residential solar photovoltaic systems. The provisions of this subsection which eliminate the village permit fees for residential solar photovoltaic systems, and only those provisions, shall sunset, expire and stand repealed on December 31, 2022 (after which date fees shall be charged in accordance with the remainder of this chapter for permits for residential solar photovoltaic systems), unless such provisions are reviewed and saved from repeal through reenactment by the village council.~~

Section 3. Conflicting Provision. Any provisions of the Code of Ordinances of Miami Shores Village, Florida, in conflict with the provisions of this Ordinance are hereby repealed, but only to the extent of such conflict.

Section 4. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Codification. That it is the intention of the Village Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Miami Shores Village, Florida, 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.

Section 6. Effective Date. That this Ordinance shall become effective immediately upon adoption on second reading.

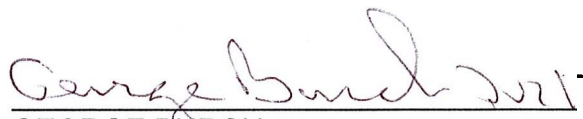
PASSED and ADOPTED this 1st day of October, 2024.

First Reading: September 17, 2024

Second Reading: October 1, 2024

Attest:

Ysabely Rodriguez, CMC



GEORGE BURCH
MAYOR

86 Village Clerk Mayor

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90 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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94 Weiss, Serota, Helfman, Cole + Bierman, P.L.

95 Village Attorney

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FINAL VOTES AT ADOPTION

Council Member Neil Cantor Council

Yes

Member Jerome Charles

Yes

Council Member Sandra Harris

Yes

Vice Mayor Jesse Valinsky

Yes

Mayor George Burch

Yes

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