

ORDINANCE 16-__

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE TOWN OF CUTLER BAY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, since its incorporation, the Town of Cutler Bay (the “Town”) has adopted numerous ordinances and the Land Development Regulations; and

WHEREAS, recodification of the Town’s ordinances is important in order to facilitate the manner in which laws can be read and interpreted; and

WHEREAS, the Town Attorneys, Municode Attorneys and code editors have worked to format, edit, organize, and codify the Town’s adopted Ordinances into a single Town Code document; and

WHEREAS, throughout the codification process efforts were made to systematically eliminate conflicts and duplication, streamline the organized code and create consistency and the Town Council desires to ratify those actions; and

WHEREAS, the Town Council finds that that this Ordinance is in the best interest and welfare of the residents of the Town.

NOW THEREFORE, IT IS HEREBY ORDAINED BY MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Code Adopted. The Code entitled "Code of Ordinances, Town of Cutler Bay, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 36, each inclusive, is adopted.

Section 3. Repeal. All ordinances of a general and permanent nature enacted on or before April 20, 2016, which are inconsistent with this Code, are not otherwise included in this Code or which are not recognized and continued in force by reference therein, are repealed to the extent they conflict with or are not included in this code and were not previously repealed by prior action of the Town Council.

Section 4. Repeal Savings Clause. The repeal provided for in section 3 hereof shall not be construed to revive any Ordinance or part thereof that has been repealed by a subsequent Ordinance that is repealed by this Ordinance.

Section 5. Amendments. Additions or amendments to the Code when passed in such form as to indicate the intention of the Town to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Effective Date of this Codification. Ordinances adopted after April 20, 2016, that amend or refer to Ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. Effective Date of this Ordinance. This Ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this 21st day of September, 2016.

PASSED AND ADOPTED on second reading this _____ day of _____, _____.

Attest:

PEGGY R. BELL
Mayor

JACQUELINE N. WILSON
Town Clerk

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE SOLE USE OF THE
TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

First Reading:

Moved By: Council Member Mixon

Seconded By: Vice Mayor Sochin

Second Reading:

Moved By: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Ernest N. Sochin _____

Council Member Roger Coriat _____

Council Member Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____