



ORDINANCE 2022-06

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA AMENDING AND FURTHER CLARIFYING ORDINANCE 2019-11 RELATING TO "VACATION/SHORT TERM RENTALS"; CREATING CHAPTER 9, ARTICLE 7 OF THE CODE OF ORDINANCES OF THE CITY OF WEST MIAMI ENTITLED "VACATION RENTAL LICENSE PROGRAM"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR REGISTRATION AND RENTAL LICENSE; PROVIDING FOR SAFETY AND OPERATIONAL REQUIREMENTS; PROVIDING FOR PARKING AND SOLID WASTE COMPLIANCE; PROVIDING FOR MAXIMUM OCCUPANCY; PROVIDING FOR APPLICATION AND LICENSE FEES AND PENALTIES FOR NON-COMPLIANCE; PROVIDING FOR PRESUMPTION AND RENTAL AGREEMENT; PROVIDING FOR SEVERABILITY, CODIFICATION AND REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6th, 2019, the City Commission adopted Ordinance 2019-11, amending the general framework for vacation rentals within the City of West Miami, and

WHEREAS, there is a need to amend certain portions of the Ordinance 2019-11, and

WHEREAS, this Ordinance does not prohibit Vacation Rentals, or the duration or frequency of Vacation Rentals, nor is it the intention of the City of West Miami to do so, but rather this Ordinance is intended to address life safety and compatibility concerns in the interests of the health, peace, safety, and general welfare, and

WHEREAS, It is the intent of this Ordinance to regulate vacation rentals as defined by Florida Statutes, as well as other transient public lodging establishments within the City of West Miami, which collectively are referred to herein as "Vacation Rentals," and

WHEREAS, residents residing within their residential dwellings are inherently familiar with the local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from their residential dwellings, hospitals and emergency service locations, thereby minimizing potential risks to themselves and their families, and

WHEREAS, in contrast, transient occupants of Vacation Rentals, due to their transient nature, are typically not familiar with local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from the Vacation Rentals in which they are staying, thereby increasing potential risks to themselves and their families, and putting an additional burden on, and potentially putting at risk, emergency personnel in the event of an emergency situation, and

WHEREAS, certain Vacation Rentals are presently located within the single family and two family dwelling residential zoning districts of the City of West Miami, and

WHEREAS, Vacation Rentals, left unregulated, can create negative impacts within residential neighborhoods due to excessive noise, parking and traffic problems, excessive use and impact on public services and public works, extreme size and/or greater occupancy, and

WHEREAS, Vacation Rentals situated within residential neighborhoods can disturb the quiet nature and atmosphere of the residential neighborhoods, and the quiet enjoyment of its residents, and

WHEREAS, a residential dwelling is typically the single largest investment a family will make with the residents of the residential dwelling desiring the tranquility and peaceful enjoyment of their neighborhood without excessive noise and increased parking issues and traffic congestion caused by transient occupants of Vacation Rentals.

WHEREAS, Vacation Rentals situated in single-family and two-family residential neighborhoods can and do create a great disparity in occupancy.

NOW THERETOFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA:

SECTION 1. The foregoing "whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption thereof.

SECTION 2. Purpose and Intent. The City Commission finds that certain transitory uses of residential property tend to affect the residential character of the community and are injurious to the health of the community. Therefore, it is necessary and in the interest of the public health, safety, and welfare to monitor and provide reasonable means for citizens of the City of West Miami mitigate impacts created by such transitory uses of residential property within the City of West Miami. It is unlawful for any owner of any property within the geographic bounds of the City West Miami, Florida, to rent or operate a vacation rental of residential property contrary to the procedures and regulations established in this Article or applicable state statute.

It is further the intent of this ordinance to provide for, among others, a) vacation rental registration, b) safety regulation requirements, c) parking standards, d) solid waste handling, containment and fees, e) posting information and regulations; f) owner's rebuttable presumptions, and g) administration, enforcement and resolutions.

It is not the intent of this ordinance to restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy.

SECTION 3. The following regulations shall be established for transient vacation rentals:

A. Definitions. For the purpose of this Article, the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their meaning as provided in Section _____ Rules of Construction, of the Code of Ordinances of the City of West Miami, Florida.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

"Bedroom" means any room in a Vacation Rental which has a bed or other place for sleeping and a separate closet that is an integral part of the permanent construction within the bedroom or an en-suite bathroom and complies with the Florida Fire Code and Florida Life Safety Code as a bedroom.

"Occupant" means any person who occupies a Vacation Rental overnight.

"On-site management" means an office located at the site of a transient public lodging establishment that has, no less than eight (8) hours per day, seven (7) days a week, a person or persons physically present on site for purposes of supplying management, rental, and/or maintenance services for that particular transient public lodging establishment, and, when the office is closed, has a person who is available upon one hour's phone notice to return to the transient public lodging establishment to supply management or maintenance services.

"Platform entity" shall mean any person, service, business, company, market plan or entity that, for a fee or other considerations, provides property owners and responsible parties a means to offer vacation rentals to transient occupants, whether through the internet or any other means.

"Responsible party" shall mean the owner or the person designated by the owner of the property to be called upon to answer for the maintenance of the property and the conduct and acts of occupants of residential properties.

"Transient Occupants" means any person, or guest or invitee of such person, who occupies or is an actual or apparent control or possession of residential property registered as a Vacation Rental. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the Vacation Rental is a Transient Occupant.

"Transient public lodging establishments" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

"Vacation Rental" shall mean any dwelling unit or residence, including, but not limited to, any unit or group of units in a condominium, cooperative, or apartment building, that is rented in whole or in part to a transient occupant for a period of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place that may be rented to a transient occupant, but shall not include a hotel, motel or bed and breakfast.

"Vacation Rental Owner" is the fee simple owner of the Vacation Rental, whether an individual, partnership, corporation, limited liability company, trust, or other entity. In the event the Vacation Rental Owner is not an individual, each and every person who owns 20% or more of the equitable interest in the Vacation Rental shall also be deemed a Vacation Rental Owner.

"Vacation Rental Owner Agent" any person authorized to act on behalf of a Vacation Rental Owner. The duties and functions of a Vacation Rental Agent may, at the option of the Vacation Rental Owner, be performed by an agent of the Vacation Rental Owner, so long as the Vacation Rental Owner notifies the City in writing, on a form provided by the City, of the identity and contact information of such agent, and the specific duties that the agent will be performing for the Vacation Rental Owner. The Vacation Rental Owner may change the designation of agent at any time through the filing of a new form and the payment of an administrative fee in an amount as set by resolution by the City Commission. The Vacation Rental Owner shall be held responsible for all actions of such designated agent with respect to the applicable Vacation Rental.

B. Construction of Ordinance. This Ordinance shall be liberally construed to accomplish its purpose of regulating Vacation Rentals, protecting the residential character of West Miami, the health, safety, and general welfare of its residents and visitors, and the quiet enjoyment by West Miami's residents of their residential property.

C. Registration required. It is not the intent of this ordinance to amend the registration required on November 6th, 2019 as stated in Ordinance 2019-11. Said paragraph in Ordinance 2019-11 shall continue in effect. Every Vacation Rental Owner, either personally or through an agent, shall register with the City of West Miami utilizing forms promulgated by the City. A separate registration shall be required for each Vacation

Rental. The operation of a Vacation Rental without registration after the date registration is required shall be a violation of this ordinance, subject to a fine upon conviction, which shall be established by Resolution. Every day of such operation without registration shall constitute a separate violation.

D. Vacation Rental Registration. A Vacation Rental Owner or agent, as applicable, registering a Vacation Rental with the City shall submit to the City a completed registration form, utilizing a form promulgated by the City, together with a registration fee in the amount set by resolution of the City Commission.

- (1) A registration form shall include the following submittals:
 - (a) A completed Vacation Rental Registration form.
 - (b) Payment of a registration fee in the amount of \$250.00.
 - (c) A copy of the Vacation Rental's current and active license as a transient public lodging establishment with the Florida Department of Business and Professional Regulation (DBPR).
 - (d) A copy of the Vacation Rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue.
 - (e) Exterior site sketch. An exterior sketch of the Vacation Rental facility shall be provided. The sketch shall show and identify all structures, pools, spas, hot tubs, fencing, and uses, including areas provided for off-street parking. For purposes of the sketch, off-street parking spaces shall be delineated so as to enable a fixed count of the number of spaces provided. At the option of the Vacation Rental Owner, such sketch shall be professionally prepared.
 - (f) Interior building sketch by floor. A building sketch by floor shall be provided, showing a floor layout identifying all bedrooms, other rooms, exits, hallways, stairways and exits, as applicable, and shall show smoke and carbon monoxide detectors and fire extinguisher which shall be required. At the option of the Vacation Rental Owner, such sketch shall be professionally prepared.
- (2) If a registration form is incomplete, the registrant will be notified of the deficiency, and be allowed ten (10) days to provide any missing information or fees. Vacation Rental Owner/Agent shall file with the City, an affidavit demonstrating initial and ongoing compliance with

vacation rental standards and any other applicable local, Miami-Dade County, state and federal laws, regulations and standards to include but not be limited to Florida Statutes and Florida Administrative Code.

- (3) Vacation rental license applications shall be sworn under penalty of perjury and any false statement in the application shall be the basis of denial or revocation of any license issued pursuant to such application.
- (4) Inspection for compliance prior to issuance of Certificate of Use. No property owner, responsible party, or platform entity shall offer as a vacation rental, any property in whole or in part within the City of West Miami, unless a Certificate of use has first been obtained in accordance with the provisions of this section. A property may be offered as a vacation rental immediately upon submission of an application for Certificate of Use, unless and until such time as the application is thereafter rejected or revoked for failure to pass inspection.
 - a. Application. A complete Certificate of Use application shall be submitted to the Department online or in hard copy. A platform entity may enter into an agreement with the City whereby the platform entity agrees to submit applications on behalf of responsible parties. The application must be signed under oath or affirmation, and shall include the following:
 - (a) The address and legal description of the vacation rental property;
 - (b) Name, address, and phone number of the property owner;
 - (c) Name, address, and phone number of the responsible party;
 - (d) Name and contact information for the platform entity or entities on which the vacation rental is, or will be, listed for rent;
 - (e) Notarized statement that the responsible party has the permission of the property owner and authority to offer the property as a vacation rental and act as the responsible party.
 - (f) Notarized statement advising the Office of the Miami-Dade County Property Appraiser of the rental of a vacation unit which shall include the name of the owner, address, folio number and legal description of the property being rented.

- (5) After all requirements have been met by Vacation Rental Owner, the City shall issue a license to operate vacation rentals as stated hereinabove and shall collect a licensing fee in the amount of \$2,000.00 which shall be separate to the required registration fee.

F. Modification of Vacation Rental Registration. An amendment of a Vacation Rental Registration shall be required in the event that any of the following changes to the Vacation Rental are proposed:

- (1) An increase in the number of bedrooms in the Vacation Rental.
- (2) An increase in the maximum occupancy of the Vacation Rental.
- (3) An increase or decrease in the number of parking spaces, or a change in the location of parking spaces for the Vacation Rental.
- (4) A change in ownership of the Vacation Rental.

G. Duration of Vacation Rental License. A Vacation Rental License shall be valid for one (1) year after the date of issuance.

H. Renewal of Vacation Rental License. A Vacation Rental Owner must renew its license annually sixty (60) days prior to the expiration date of the previous Vacation Rental License.

I. Inspection of Vacation Rentals.

- (1) Inspection of a Vacation Rental to verify compliance with the Florida Building Code, and the Florida Fire and Life Safety Codes, which governed at the time of completion of the subject construction, shall be required subsequent to the initial registration of the Vacation Rental, and quarterly after each renewal with a payment of \$250.00 for the inspection. If instances of noncompliance are found, all such instances of noncompliance shall be handled as other violations of the Florida Building Code and Florida Fire and Life Safety Codes otherwise handled in the City.
- (2) Quarterly inspections shall be made by the City through appointment with the Vacation Rental Owner or agent, as applicable. If a City inspector has made an appointment with Vacation Rental Owner or agent, as applicable, for an inspection, and the City inspector is unable to complete the inspection as a result of an action or inaction of the Vacation Rental Owner or agent, or an occupant of the Vacation Rental, the Vacation Rental Owner shall be charged a "re-inspection" fee in an amount of \$250.00 to cover the inspection

expense incurred. The re-inspection fee shall be paid prior to scheduling the re-inspection.

- (3) In addition, failure of a Vacation Rental Owner or agent, as applicable, to make the Vacation Rental available for an inspection within twenty (20) days after notification by the City in writing that the City is ready to conduct the quarterly inspection, shall be a violation of this Ordinance punishable by a fine as set by resolution by the City Commission. Such violation shall continue until the inspection is accomplished. Each day that such violation continues shall be a separate violation.

J. Transfer of Vacation Rental License. Vacation Rental licenses are not transferable or assignable. If ownership of rental property is sold or transferred, any outstanding vacation license shall be null and void upon sale or transfer.

K. Vested Rights/Waiver/Estoppel. A Vacation Rental Registration shall not be construed to establish any vested rights or entitle the registered Vacation Rental to any rights under the theory of estoppel. A Vacation Rental Registration shall not be construed as a waiver of any other requirements contained within the City of West Miami City Code or Comprehensive Plan, and is not an approval of any other code requirement outside this ordinance. The registration of a Vacation Rental is not an approval of a use or activity that would otherwise be illegal under Florida law, the Florida Building Code, the Florida Fire Code or Life Safety Code, or in violation of the West Miami City Code or Comprehensive Plan.

L. Duties of Vacation Rental Owner. Every Vacation Rental Owner or agent, as applicable, shall be available by landline or mobile telephone answered by the Vacation Rental Owner or agent at the listed phone number 24-hours a day, seven days a week to respond to police, fire or other emergency city personnel requests. Otherwise, response to contact by the City's regulatory personnel shall be required only Monday through Saturday, 9am to 6pm. Failure of the Vacation Rental Owner or agent, as applicable, to fulfil this duty, shall be a violation of this ordinance which shall be punished by fine as set by resolution of the City Commission.

M. Vacation Rental Near School, Day Care, Park or Playground. The terms adopted in Florida Statute Section 775 with reference to restrictions of persons convicted of certain sex offenses are adopted herein. Specifically, that persons convicted of certain sexual offenses may not contract or reside within 1,000 feet of any area prescribed by said statute, which includes criminal penalties.

N. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS.

1. **Generally.** The standards and requirements set forth in this Article shall apply to the rental, use, and occupancy of Vacation Rentals in the City of West Miami.

2. **Minimum safety and operational requirements.** Vacation Rentals in the City of West Miami shall meet the applicable standards under the Florida Statutes, Florida Building Code and the Florida Fire Code and Life Safety Code, and each Vacation Rental shall have at least one telephone with the ability to call 911.

a. **Swimming pool, spa and hot tub safety.** A swimming pool, spa or hot tub offered or made available as an amenity at a Vacation Rental shall comply with the current standards of the Residential Swimming Pool Safety Act, Chapter 515, Florida Statutes. The Property owner shall cause the swimming pool drain system, any underwater lighting system, and the electrical pump system of such swimming pools, spas, and hot tubs to be inspected annually by an appropriately licensed technician. The Vacation Rental Agent shall maintain a contemporaneous log of such inspections, which shall be made available to the City for inspection upon request during normal business hours.

b. **Bedrooms.** All bedrooms within a Vacation Rental shall meet the applicable requirements of the Florida Building Code, and the Florida Fire Code and Life Safety Code.

c. **Smoke and carbon monoxide (CO) detection and notification system.** A fully operational smoke alarm and carbon monoxide (CO) alarm system shall be installed within the Vacation Rental and/or room and maintained on a continuing basis.

d. **Fire extinguisher.** A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor of a Vacation Rental. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location of the fire extinguisher.

e. **Fire Alarm System.** A fire alarm system monitored by a professional alarm service company which, in case of fire, can alert and immediately notify the fire department. A safety alarm contract shall be a part and recorded with the application to the City.

3. **Maximum occupancy based on site capacity / limitations.** The maximum occupancy of a Vacation Rental shall be stated in the Vacation Rental registration form, and shall be limited to the lesser of:

(a) Two persons per bedroom that contains one hundred (100) square feet or more, (counting only those rooms that meet the definition of bedroom herein), plus one person per bedroom that contains no less than seventy (70) square feet, but less than one hundred (100) square feet, (counting only those rooms that meet the definition of bedroom herein), plus two persons.

(b) A total of 6 occupants per Vacation Rental. In the event there is more than one building or dwelling on one platted lot, the maximum occupancy

shall be capped at six (6) occupants per lot or structure, whichever is less.

O. Vacation Rental agreements – minimum provisions. Vacation Rentals shall be rented, leased or occupied pursuant to a written rental agreement which contains, at a minimum, the following information:

- (1) Maximum occupancy of the Vacation Rental that is consistent with the Vacation Rental Registration.
- (2) The maximum number of vehicles that will be allowed to park at the Vacation Rental. Such number of vehicles shall not exceed the number of parking spaces located at the Vacation Rental as shown in the sketch submitted with the Vacation Rental registration, which cannot exceed the allowed parking spaces in the City of West Miami.
- (3) A statement that a sketch of the permitted off-street parking locations where Occupants may park according to the Vacation Rental Registration sketch and any other legal parking spaces available to the Vacation Rental will be posted at the Vacation Rental.
- (4) A statement that all Occupants must promptly evacuate from the Vacation Rental upon posting of any evacuation order issued by state or local authorities.

P. Required Posting of Vacation Rental and local information - posting. In each Vacation Rental, there shall be provided, in a prominent location, the following written information:

- A. The name, address and phone number of the Vacation Rental Owner or agent, as applicable.
- (2) The maximum occupancy of the Vacation Rental.
- (3) A copy of a document to be supplied by the City which includes excerpts from City of West Miami ordinance provisions of general application relevant to Vacation Rentals to include solid waste pick-up regulations, and City of West Miami Noise Ordinance, as specified by resolution of the City, as a lease addendum. The City will make available to Vacation Rental Owners and agents a copy of such document in digital format upon request, and the City will post such document on its website.
- (4) The maximum number of vehicles that can be parked at the Vacation Rental, along with a sketch of the location of the off-street parking spaces.
- (5) The days and times of trash pickup.

- (6) The location of the nearest hospital.

There shall be posted, next to the interior door of each bedroom a legible copy of a building evacuation map – Minimum 8-1/2" by 11".

Q. Rebuttable Presumption. There shall be a rebuttable presumption that any property appearing or being advertised in any way as a vacation rental, short-term rental or any other form of rental subject matter of this ordinance, shall be authorized by the owner of said real property and shall be responsible for any and all regulations herewith.

R. Enforcement. Violations of this ordinance shall be enforced in accordance with the provisions of this Ordinance and through code enforcement procedures.

S. Penalties and Fines.

- a. **Fine.** A violation of any of the provisions of this section is punishable by a fine of \$250.00 per violation. Each day a violation occurs shall constitute a separate violation. Repeat violations shall be punishable by a fine of up to \$250.00 per violation.
- b. **Enhanced penalties.** The following enhanced penalties will be imposed, in addition to any fines imposed pursuant to Section 3, R(a).
 1. The transient rental or occupancy must be immediately terminated, upon confirmation that a violation has occurred, by the City of West Miami Police Department and the Code Enforcement Department.
 2. A certified copy of an order imposing the civil fines and penalties must be recorded in the public records, and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. The certified copy of an order must be immediately recorded in the public records, and the city may foreclose or otherwise execute upon the lien.
- c. **Suspension of vacation rental registration.** In addition to any fines and any other remedies described herein or provided for by law, a vacation rental registration shall be suspended for multiple violations of the maximum occupancy, parking requirements, noise ordinance, failure to advertise the maximum occupancy, or any other

requirements of this section, in any continuous 48-month period, in accordance with the following suspension timeframes:

1. Upon finding of a second violation, the vacation rental registration shall be suspended for a period of 30 calendar days.
 2. Upon finding of a third violation, the vacation rental registration shall be suspended for a period of 12 calendar months.
 3. For each additional violation, the vacation rental registration shall be suspended for an additional 12 calendar months.
- c. **Suspension restrictions.** A vacation rental may not provide transient occupancy during any period of suspension of a vacation rental registration. The suspension shall begin immediately following notice of the suspension commencing either at the end of the then current vacation rental lease period; or within 30 calendar days, whichever is earlier, or as otherwise determined by the City's Code Compliance Board.
- d. Operation during any period of suspension shall be deemed a violation pursuant to this section and shall be subject to a daily fine, up to the maximum amount as otherwise provided in Florida Statutes for repeat violations, for each day that the vacation rental operates during a period of violation.

T. Appeals. Any decision of the Manager or his or her authorized designee relating to this ordinance shall be rendered in writing and noticed as provided by law to the Owner of the property and reviewed by the Code Enforcement Board if a notice by the Vacation Rental Owner is filed with the City Clerk within ten (10) days after the action to be reviewed. The City Clerk shall place the matter on the agenda of the next available meeting of the Code Enforcement Board, but no later than 35 days after the notice to the Vacation Rental Owner or agent is filed, at which the matter will be reviewed. The decision of the Code Enforcement Board shall be final and shall be rendered in writing in appealable form to the City Commission. Such final decision shall not be a de novo review and may be reviewed as permitted under Florida law.

U. Joint and Several Liability. The property owner of the vacation rental property shall be liable for any violations of this section, any rule or regulation promulgated under this section, or any order of the City Manager made under this section. In addition, whenever two or more persons commit such a violation, each violator shall be jointly and severally liable for any fines or other damages assessed. This applies to situations where a property owner, responsible party, platform entity, or transient occupant, or any combination thereof, are together responsible for a violation of this section. It is provided, however, that where a platform entity does not itself commit a violation of this section, it shall not be held jointly and severally liable, nor shall it be held vicariously liable for any violations committed solely by the responsible party or transient occupants.

SECTION 4. Severability. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance, is contrary to law, or against public policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this ordinance, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Ordinance, which shall remain in full force and effect. This ordinance shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this ordinance as expressed herein.

SECTION 5. Codification. The provisions of this Ordinance shall be codified as, and become and be made a part of the Code of Ordinances of the City of West Miami. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 6. Effective Date. This Ordinance shall be effective upon adoption by the City Commission in accordance with the Charter of the City of West Miami.

PASSED AND ADOPTED, by the City Commission of the City of West Miami, Florida, in regular session assembled, this 15th day of June, 2022.

Approved:



ERIC DIAZ-PADRON, MAYOR

ATTEST:



ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

This Ordinance was offered by Commissioner Suarez, who moved its adoption. The motion was seconded by Vice-Mayor Blanes. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR JUAN BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>

Date of 1st Reading: <u>May 18th, 2022</u>
Date of Publication: <u>June 1st, 2022</u>
Date of 2nd Reading: <u>June 15th, 2022</u>