

ORDINANCE NO. 267

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE TOWN OF WEST MIAMI, DADE COUNTY, FLORIDA, ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE AND A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ENACTED BY THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF WEST MIAMI, DADE COUNTY, FLORIDA:

Section 1. That the Code of Ordinances, consisting of Chapters 1 to 25, each inclusive, is hereby adopted and enacted as the "Code of Ordinances, Town of West Miami, Florida." Such Code shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the Town Council on or before May 19, 1965, to the extent provided in Section 2 hereof.

Section 2. That all provisions of such Code shall be in full force and effect from and after the 1st day of January, 1966, and all ordinances of a general and permanent nature enacted on or before May 19, 1965, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after the 1st day of January, 1966, except as hereinafter provided. No resolution of the Town, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any of the following:

- (1) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of such Code;

- (2) Any ordinance promising or guaranteeing the payment of money for the Town or authorizing the issuance of any bonds of the Town or any evidence of the Town's indebtedness;
- (3) Any contract or obligation assumed by the Town;
- (4) Any right or franchise granted by the Town;
- (5) Any ordinance dedicating, naming, establishing, locating, opening, widening, paving, etc., any street or public way in the Town;
- (6) Any appropriation ordinance or budget ordinance;
- (7) Any ordinance which, by its own terms, is effective only for a stated or limited time;
- (8) Any ordinance providing for local improvements and assessing taxes therefor;
- (9) Any ordinance dedicating or accepting any subdivision plat;
- (10) Any ordinance dealing with acquisition of property by the Town;
- (11) Any ordinance repealing prior ordinances;
- (12) Any ordinance establishing tax millage;
- (13) Ordinances establishing zoning districts and adopting an official zoning map of the Town;
- (14) Any ordinance enacted after May 19, 1965.

Section 4. That whenever in such Code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided, therefor, the violation of any such provision of such Code shall be punishable as provided by Section 1-8 of such Code.

Section 5. That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the Town Council to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the Code of the Town of West Miami, Florida shall be understood and intended to include such additions and amendments.

Section 6. That in case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-8 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which

a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That a copy of such Code shall be kept on file in the office of the Town Clerk preserved in looseleaf form or in such other form as the Town Council may consider most expedient. It shall be the express duty of the Town Clerk, or someone authorized by the Clerk to insert in their designated places all amendments or ordinances which indicate the intention of the Town Council to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the Town Council. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Town of West Miami to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 4 of this ordinance.

Section 9. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10. This Ordinance shall become in full force and effect in accordance with the Charter of the Town of West Miami, Florida.

Section 11. That this Ordinance was duly passed at a regular meeting of the Town Council of the Town of West Miami, on the 20th day of October, 1965, and passed on second and final

reading at a regular meeting of the Town Council on the 3rd day
of November, A. D. 1965.



President, Town Council
Town of West Miami,
Florida

ATTEST:



Town Clerk

APPROVED:



Mayor