

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA AMENDING CHAPTER 5 OF THE WEST MIAMI CODE BY ADDING ARTICLE X; PROVIDING MAINTENANCE OF RESIDENTIAL PROPERTY FOR PREVENTION OF DETERIORATION OR BLIGHT FROM INADEQUATE MAINTENANCE; PROVIDING FOR MINIMUM STANDARDS OF MAINTENANCE OF RESIDENTIAL PROPERTY; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PENALTY; AND, PROVIDING EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA:

Section 1. That Chapter 5, BUILDINGS, of the Code of the City of West Miami, Florida, be and hereby amended by adding Article X as follows:

ARTICLE X. MAINTENANCE OF RESIDENTIAL PROPERTY

Sec. 5-107. Prevention of Deterioration or Blight.

(a) The exterior of all residential property shall be maintained so as to prevent deterioration or blight from inadequate maintenance.

(b) The following minimum standards shall be observed in the maintenance of residential property:

- (1) All exterior building surfaces shall be free of chipping, pitting, cracking, discoloration, graffiti, mildew, fungus, peeling, or fading;
- (2) Doors and windows shall be free of cracked or discolored glass or corroded frames;
- (3) If any property is vacant for more than fifteen (15) days, all glass surfaces visible to the public shall be clean and screened from the inside with a clean, neat-appearing opaque material and shall be kept in such condition until the property is occupied;

Sec. 5-108. Compliance; penalty for violation.

(a) The city manager is empowered and authorized to require compliance with this article within thirty (30) days of written notice to violators. Failure to comply shall be punishable by a fine of not more than five hundred dollars (\$500.00) and/or sixty (60) days in jail. Each day of noncompliance shall constitute a separate offense.

(b) In the alternative, violators may be cited to the city code enforcement board as provided in Chapter 2 of the City Code.

Section 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 3. If any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 4. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the West Miami Code; and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section, article" or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. This Ordinance shall take effect immediately upon passage.

PASSED AND ADOPTED this 20<sup>10</sup> day of OCTOBER, 1993.

APPROVED:   
MAYOR

ATTEST:  
  
CITY CLERK

Approved as to form and sufficiency

15/ Gus C. Athimios  
CITY ATTORNEY

Roll Call Vote:

Mayor Diaz-Padron ✓  
Vice Mayor Trigo ✓  
Commissioner Sosa ✓  
Commissioner Herbert ✓  
Commissioner Bonich ✓

Date of 1st reading: 9/15/93  
Date of Publication: 10/8/93  
Date of 2nd reading: 10/20/93

*d*