ORDINANCE NO. 18- 232

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED ROOFING TYPES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "SUPPLEMENTARY REGULATIONS", AT SECTION 13-1608, RENAMING IT "SINGLE-FAMILY AND TWO-FAMILY ROOF REGULATIONS," AND PERMITING STANDING METAL SEAM ROOFING; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

WHEREAS, section 13-1608 of the Town's Land Development Code provides for permitted roofing types in residential single-family and two-family districts; and

WHEREAS, the region in which Miami Lakes is located is prone to storm events that have the potential to cause roof damage to the single-family and two-family buildings, as it particularly evidenced by the continued presence of blue (tarped) roofs throughout the Town a year after Hurricane Irma; and

WHEREAS, metal standing seamed roofing is considered by the construction industry to be a more resilient roofing material more capable of withstanding damage from hurricane force winds when compared to other roofing options; and

WHEREAS, in light of its recognized resiliency, on July 17, 2018, the Town Council of the Town of Miami Lakes directed the Town Manager to amend the Land Development Code to permit metal seam roofs for single-family and two-family buildings; and

WHEREAS, on September 19, 2018, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

WHEREAS, on October 2, 2018, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on October 16, 2018, the Town Council considered the ordinance at a duly advertised public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. **Recitals**. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. **Amendment.** Section 13-1608, of the Town's Land Development Code is hereby amended as provided at Exhibit A:

Section 3. **Repeal of Conflicting Provisions**. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. **Severability**. 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. **Inclusion in the Town Code**. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

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

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FIRST READING

The foregoing ordinance was offered by Councilmember Rodriguez who moved its adoption on first reading. The motion was seconded by Councilmember Daubert and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Frank Mingo	yes
Councilmember Tim Daubert	yes
Councilmember Luis Collazo	yes
Councilmember Ceasar Mestre	yes
Councilmember Nelson Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed on first reading this 2nd day of October 2018.

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SECOND READING

The foregoing ordinance was offered by Councilmember Daubert who moved its adoption on second reading. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Absent
Vice Mayor Frank Mingo	yes
Councilmember Tim Daubert	yes
Councilmember Luis Collazo	yes
Councilmember Ceasar Mestre	Absent
Councilmember Nelson Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on second reading this 16th day of October 2018.

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

ORDINANCE

Chapter 13 - LAND DEVELOPMENT CODE

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ARTICLE VI. - SUPPLEMENTARY REGULATIONS

* * *

DIVISION 1. - GENERALLY

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Sec. 13-1608. - ~~Development~~ Single-family and two-family roof regulations.

(a) All new single-family or two-family roofs with a pitch equal to or greater than two and one-half inches rise per one (1) foot run shall be constructed of standing metal seam, or of barrel tile or flat tile, or shall be constructed of another material which simulates barrel tile or flat tile. Other roofing materials may only be approved through the variance process.

(b) All single-family or two-family roof materials may be replaced or repaired with similar types of roofing material as those materials being replaced or repaired or may be constructed of standing metal seam roof, ~~or be constructed of~~ barrel tile, flat tile or another material which simulates barrel tile or flat tile.

(c) Roofing Material colors shall be neutral, aesthetically pleasing, and consistent with surrounding homes. Any variation may only be approved through the variance process.