ORDINANCE NO. 1353

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 11, ARTICLE X, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "TOWING OF MOTOR VEHICLES", SPECIFICALLY AT SECTION 11-211, ENTITLED "DEFINITIONS", AT SECTION 11-229, ENTITLED "REQUIREMENTS FOR NON-CONSENSUAL IMMOBILIZATION OF VEHICLES", AND EXHIBIT "2", ENTITLED "CATEGORIES AND MAXIMUM RATES FOR NON-CONSENSUAL TOWING SERVICES", TO ESTABLISH A MAXIMUM NON-CONSENSUAL IMMOBILIZATION RATE AND ACCEPTABLE METHODS OF PAYMENT, TO REQUIRE IMMOBILIZATION OPERATORS TO OBTAIN AN IMMOBILIZATION PERMIT AND LOCAL BUSINESS TAX RECEIPT, AND TO FURTHER IMPOSE ADDITIONAL NOTICE REQUIREMENTS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of North Miami "City" currently regulates towing and storage rates for tow companies operating in the City; and

WHEREAS, the code of ordinances currently allows for non-consensual immobilization of vehicles on private property but does not specifically establish a maximum rate for removal of immobilization devices; and

WHEREAS, municipalities are allowed to establish their own maximum towing and immobilization rates pursuant to section 166.043(c), Florida Statutes; and

WHEREAS, it is recommended that the Mayor and City Council establish a maximum immobilization rate within the City and establish acceptable methods of payment for immobilization fees; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of City residents to require immobilization operators to obtain occupational licenses, immobilization permits and to abide by all notice requirements and rate provisions; and

WHEREAS, the Mayor and City Council desire to amend the code of ordinances to include the above requirements and to clearly establish a maximum rate for removal of immobilization devices.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 11, Article X, of the City of North Miami Code of Ordinances entitled "Towing of Motor Vehicles", as follows:

CHAPTER 11. LICENSES AND BUSINESS REGULATIONS

* * * * *

ARTICLE X. TOWING OF MOTOR VEHICLES

Sec. 11-211. - Definitions.

For the purposes of this article, the following definitions shall apply:

City council shall mean the Mayor and City Council of the City of North Miami, Florida.

City manager shall mean the chief executive officer and head of the administrative branch of city government as provided in Article 3 of the Charter of the City of North Miami.

Chief of police shall mean the highest ranking officer and head of the City of North Miami Police Department.

CP&D shall mean the Community Planning and Development Department of the City of North Miami.

Immobilization, immobilize or *immobilizing,* also known as boot or booting, shall mean the act of placing, on a parked vehicle, a mechanical device that is designed to be attached to the wheel or tire so as to prohibit its usual manner of movement.

Industry shall mean the business of the non-consensual recovering, towing or removing vehicles and providing such vehicle storage services as may be associated therewith.

Local business tax receipt shall mean the document which allows a person to engage in the business of the non-consensual activity of recovering, towing, removing, ~~and~~ storing, and immobilization of vehicles for compensation within the city limits and pursuant to Chapter 11 of the City of North Miami Code of Ordinances.

Operate shall mean to provide for compensation the services of the non-consensual recovering, towing, ~~or~~ removing, or immobilization of vehicles and any associated vehicle storage services, at the request of and for the City of North Miami.

Operator shall mean any person who provides for compensation the services of the non-consensual recovering, towing, ~~or~~ removing, or immobilization of vehicles and any vehicle associated storage services, at the request of and for the City of North Miami.

Permit shall mean the document which allows a person to engage in the non-consensual activity of recovering, towing, removing, ~~and~~ storing, and immobilization of vehicles ~~at the request of and for the City of North Miami, as provided by administrative regulation of the city manager~~. As used in this article, a "permit" shall not mean a municipal or county local business tax receipt.

Permittee or *permit holder* shall mean the person, company, or agency that is the holder or recipient of a non-consensual towing or immobilization permit from the City of North Miami.

Person shall mean any natural person, firm, partnership, association, corporation or other entity of any kind whatsoever engaged in non-consensual towing or immobilization activities.

Property owner shall mean that person who exercises dominion and control over real property, including but not limited to the legal titleholder, lessee, designated representative of a condominium association or any person authorized to exercise or share dominion and control over real property, however, "property owner" shall not mean or include a person providing towing services within the purview of this article. The foregoing notwithstanding, all government entities providing their own towing services may be property owners for purposes of this article.

Recover shall mean to take possession of a vehicle and its contents and to exercise control, supervision and responsibility over it.

Regulation shall mean a rule set forth in this article, the violation of which is sufficient grounds for fines; suspension or revocation of a towing permit; civil damages, court costs and attorneys fees; and specified criminal penalties.

Remove shall mean to change the location of a vehicle by towing it.

Revoke shall mean to annul and make void the permit of a person engaged in the business of providing towing services.

Store shall mean to place and leave a towed vehicle at a location where the person providing the towing service exercises control, supervision and responsibility over the vehicle. The storage facility must be securely fenced or locked for the protection of vehicles and property.

Tow shall mean to haul, draw or pull along a vehicle by means of another vehicle equipped with booms, car carriers, winches or similar equipment.

Tow or *impound request* shall mean a clear, definite and explicit request:

(1) Made in writing by a police officer, code enforcement officer, or public service aide to immobilize, recover, tow, remove or store a specific and individual vehicle which is disabled or abandoned or parked without authorization, or whose operator is unable or unwilling to remove the vehicle;

(2) Made in writing by a property owner or duly authorized agent of the property owner to immobilize, recover, tow, remove or store a specific and individual vehicle parked without permission of the property owner; however, such property owner or agent shall not be the person requested to immobilize, recover, tow, remove or store the vehicle or an employee or agent thereof; or

(3) Every request made in writing or in person must indicate the date and time of the instruction and must be signed by the police officer, code enforcement officer or public service aide, in the presence of the person providing the requested service. Every request made by telephone must also be documented with the date and time of the call.

Towing permit coordinator shall mean an officer, with the rank of sergeant or higher, appointed by the chief of police to supervise compliance with this article.

Trade name shall mean any name under which a person, corporation, partnership, association, firm or any other entity operates its business.

Vehicle shall mean to include, but not be limited to, an automobile, truck, bus, motorcycle, motorized scooter, trailer, semi-trailer, truck tractor semi-trailer combination, recreational unit primarily designed as temporary living quarters which either has its own motive power or is mounted on or drawn by another vehicle, or any other mobile item using wheels and being operated on the roads of the city, which is used to transport persons or property and is propelled by power other than muscular power; provided, however, that the term does not include bicycles, mopeds, traction engines, road rollers or vehicles which run only upon a track.

Wrecker class shall mean the type of towing vehicle, equipment or apparatus used to recover, tow or remove vehicles. The wrecker classes shall be distinguished as follows:

(1) *Class "A" wrecker:*

a. Commercially manufactured unit, with a rated capacity of not less than ten thousand (10,000) pounds, GVW;

b. Cab to axle dimension of not less than fifty-six (56) inches;

c. Dual rear wheels;

d. Commercially manufactured boom with a minimum capacity of eight thousand (8,000) pounds;

e. Hydraulically operated winch(es) with a minimum total winching capacity of eight thousand (8,000) pounds;

f. One hundred (100) feet of ⅜-inch steel core cable per winch;

g. Wheel life with a retracted rating of not less than three thousand five hundred (3,500) pounds and an extended rating of not less than two thousand (2,000) pounds;

h. Tow sling with a safe lift rating of three thousand five hundred (3,500) pounds;

i. Two (2) ⅜-inch high test safety chains;

j. Dolly equipped;

k. One (1) motorcycle sling;

l. Four-way lug wrench; and

m. One (1) pair of jumper cables.

(2) *Class "A" slide back car carrier:*

a. Commercially manufactured unit, with a rated capacity of not less than ten thousand (10,000) pounds, GVW;

b. Cab to axle dimension of not less than one hundred two (102) inches;

c. Dual rear wheels;

d. Seventeen (17) feet or longer hydraulically operated slide back or tilt bed;

e. Hydraulically operated winch(es) with a minimum total winching capacity of eight thousand (8,000) pounds;

f. Sixty-five (65) feet of ⅜-inch steel core cable;

g. Two (2) tie down chains, each ten (10) feet in length;

h. Four-way lug wrench; and

i. One (1) pair of jumper cables.

(3) *Class "B" wrecker:*

a. Commercially manufactured unit, with a rated capacity of not less than eighteen thousand (18,000) pounds, GVW;

b. Cab to axle dimension of not less than eighty-four (84) inches;

c. Commercially manufactured hydraulic boom(s) with a minimum total capacity of sixteen thousand (16,000) pounds;

d. Hydraulically operated winch(es) with a minimum total winching capacity of sixteen thousand (16,000) pounds;

e. Two hundred (200) feet of ½-inch steel core cable per winch;

f. Under reach with a retracted rating of not less than six thousand (6,000) pounds and an extended rating of not less than four thousand (4,000) pounds;

g. Tow sling with a safe lift rating of eight thousand five hundred (8,500) pounds;

h. Two (2) 5/16-inch alloy safety chains;

i. Tow bar equipped;

j. Two (2) snatch blocks, minimum eight thousand (8,000) pound capacity each;

k. Two (2) scotch blocks;

l. Break lock;

m. Six (6) to eight (8) feet of extra towing chain with hooks, minimum four thousand (4,000) pound capacity chain with hooks, minimum four thousand (4,000) pound capacity;

n. Four-way lug wrench;

o. One (1) pair of jumper cables;

(4) *Class "B" slide back car carrier:*

a. Commercially manufactured unit, with a rated capacity of not less than twenty thousand (20,000) pounds, GVW;

b. Cab-to axle dimension of not less than one hundred thirty-eight (138) inches;

c. Dual rear wheels;

d. Twenty-one (21) feet or longer hydraulically operated slide back or tilt bed;

e. Hydraulically operated winch with a minimum winching capacity of eight thousand (8,000) pounds;

f. One hundred (100) feet of ⅜-inch steel core cable;

g. Two (2) tie down chains, each ten (10) feet in length;

h. One (1) snatch block, minimum eight thousand (8,000) pound capacity;

i. Four-way lug wrench;

j. One (1) pair of jumper cables; and

k. Commercial Non-restricted license plate.

(5) *Class "C" wrecker:*

a. Commercially manufactured unit with a rated capacity of not less than thirty-six thousand (36,000) pounds, GVW;

b. Cab to axle dimension of not less than one hundred forty-four (144) inches;

c. Commercially manufactured boom(s) with a minimum total capacity of fifty thousand (50,000) pounds;

d. Winch(es) with a minimum total winching capacity of fifty thousand (50,000) pounds;

e. Two hundred (200) feet of ⅝-inch steel core cable per winch;

f. Under reach with a retracted rating of not less than twenty-five thousand (25,000) pounds and an extended rating of not less than twelve thousand (12,000) pounds;

g. Rear support jacks or outriggers;

h. Tow sling, with a safe lift rating of twelve thousand (12,000) pounds;

i. Two (2) ½-inch alloy safety chains;

j. Tow bar equipped;

k. External air hookup and hoses to supply air to disabled vehicles;

l. Two (2) snatch blocks, minimum twenty-four thousand (24,000) pound capacity each;

m. Two (2) scotch blocks;

n. Spring brake air lock;

o. Six (6) to eight (8) feet of extra towing, chain with hooks, minimum; and four thousand (4,000) pound capacity.

Where two (2) Class "C" wreckers are required, at least one (1) shall be under reach equipped.

(6) *Additional equipment required on each vehicle.*

a. Two-way radio;

b. Proper safety lights;

c. Amber rotation dome light;

d. Two (2) flood lights to rear;

e. Sand (50 pounds minimum);

f. Heavy duty sweeping broom (twenty-four (24) inches wide);

g. Two (2) safety cones (day-glow orange three (3) feet high);

h. One (1) set of three (3) reflectors;

i. Six (6) 30-minute flares;

j. Flat shovel;

k. Axe;

l. Fire extinguisher five (5) pounds dry chemical Underwriter approved; and

m. First aid kit—Minimum sixteen (16) units.

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Sec. 11-225. - Maximum non-consensual immobilization, towing and storage rates for providing immobilization or tow services.

(a) The city council shall establish maximum rates for providing immobilization, recovery, towing, removal and storage services at the request of a city law enforcement officer, code enforcement officer, public service aide or a property owner or authorized representative, without the prior consent of the vehicle owner or other authorized person in control of the vehicle. The rates established shall be uniform throughout the city and in compliance with the rates established by Miami-Dade County, except that from time to time, the maximum rates established by the city council may be altered, revised, increased or decreased, pursuant to F.S. § 125.0103 and 166.045. The rates established pursuant to this article are attached as Exhibit "2".

(b) Persons who provide services pursuant to this article shall not charge in excess of the maximum allowable rates established by the city council. No person providing services pursuant to this article shall charge any type of fee other than the fees for which the city council has established specific rates.

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Sec. 11-229. - Requirements for non-consensual immobilization of vehicles.

It is unlawful for a person providing immobilization services to immobilize a vehicle owned by another person which is parked on private property without permission or authority of the owner or duly authorized driver of that vehicle, unless the following requirements are satisfied:

(1) *Local Business Tax Receipt required.* No individual person or agency shall engage in the business of immobilization of motor vehicles parked on private property without first obtaining a local business tax receipt.

(2) *Immobilization permit required.* No individual person or agency shall engage in the business of immobilization of motor vehicles parked on private property without first obtaining a permit issued by the city manager in accordance with section 11-213, and subject to the provisions in sections 11-214 and 11-216 (any reference to towing permit in this section shall mean "immobilization permit").

~~(1)~~ (3) *Notice.* ~~The vehicle is unlawfully parked. and n~~Notice shall be prominently posted on the property on which the vehicle is immobilized in accordance with the requirements set forth in section 11-223~~(a)~~(1)(a) of this article. Notice must be prominently placed at each driveway access or curb allowing vehicular access to the property, within five (5) feet from the public right-of-way line. The text of the notice shall clearly display, in light reflective letters on a contrasting background, the following information:

a. In letters at least two-inches high that unauthorized vehicles will be immobilized or towed away at the owners' expense;

b. In not less than four-inches high the words immobilization/tow away zone;

c. In letters at least two-inches high the days of the week and hours of the day during which vehicles will be booted;

d. In letters at least one-inch high the fee to unboot the vehicle and acceptable methods of payment;

e. In letters at least one-inch the name and address of the person performing the booting service;

f. In letters at least two-inches high the telephone number to call and the on-site location (if applicable) where a person can go to request the unbooting of the vehicle; and

g. In letters at least three-fourths (¾) of an inch high, NORTH MIAMI POLICE DEPARTMENT COMPLAINT NUMBER: (insert current telephone number).

~~(2)~~ (4) The vehicle is unlawfully parked.

(5) The vehicle is not occupied by a living natural person or animal.

~~(3)~~ (6) The vehicle may not be a police, fire fighting, rescue squad, ambulance or other emergency vehicle or other governmentally owned vehicle marked as such.

~~(4)~~ (7) The persons providing the immobilization service shall comply with sections 11-218 and 11-223~~(b)~~(2) of this article.

(8) Prior to immobilization, the property owner or immobilization operator's representative shall attempt to notify the owner, operator, or person legally in control of the vehicle to retrieve it promptly or the vehicle will be immobilized.

~~(5)~~ (9) Immobilization shall be accomplished by placing a steel boot on the front wheel of the driver's side of the motor vehicle. The steel boot may be placed on any other wheel if placement on the front wheel on the driver side is not feasible.

~~(6)~~ (10) Immediately after a vehicle is booted, the person booting such vehicle, the owner of the property where such vehicle was booted, or an employee or agent of such person or owner, shall affix at the rearmost portion of the window adjacent to the driver's seat

of such vehicle, a sticker with a completely removable adhesive, measuring eight and one-half (8½) by eleven (11) inches containing a warning written in English, Spanish, French, and Haitian Creole that any attempt to move the vehicle may result in damage to the vehicle, and stating the name and business address of the person who booted such vehicle as well as a business telephone number which will facilitate the dispatch of personnel responsible for removing the boot.

~~(7)~~ (11) No release or waiver of any kind purporting to limit or avoid liability for damages to a vehicle that has been booted shall be valid. In addition, any person who booted a vehicle, or other person authorized to accept payment of any charges for such booting, shall provide a signed receipt to the individual paying the booting charges at the time such charges are paid. Such receipt shall state the name, business address, and business telephone number of the person who has booted such vehicle, and such receipt shall include a telephone number of the office within the city's police department responsible for receiving complaints with respect to booting.

~~(8)~~ (12) No charge shall be imposed for the booting of a vehicle unless and until the requirements of this section have been met, and any such unlawful charge shall be reimbursed by any person found to have violated this ~~section~~ article.

~~(9)~~ (13) The property owner or immobilization operator shall make available on a 24-hour, seven-days-a-week basis, attendants and equipment for the timely release of the immobilization device. Any person who had booted a vehicle shall release such vehicle as soon as practical, but not to exceed thirty (30) minutes of receiving a request for such vehicle's release; provided however, that payment of any charge for booting is made at or prior to the time of such vehicle's release. The owner or person in control of a vehicle which has been booted shall be permitted to pay any charge for booting at the location where such vehicle was booted and the person receiving payment for booting services shall accept payment for charges from the owner or duly authorized representative in accordance with the provisions of section 11-222~~(k)~~(11), of this article. Acceptable methods for payment of the immobilization fee shall include cash, check, and credit card.

~~(10)~~(14) A person may not charge more than the maximum fee established pursuant to section 11-225 and the schedule of rates, attached as Exhibit "2".

~~(11)~~(15) The rebate or repayment of money or any other valuable consideration directly or indirectly from the individual or firm booting vehicles to the owners or operators of the premises from which the vehicles are immobilized, for the privilege of immobilizing those vehicles, is prohibited.

~~(12)~~(16) The employees or agents of the booting business shall wear identification tags stating the full name of the booting business and the name of the employee or agent; no identification worn by the booting business' employees or agents shall use the words: "Enforcement," "Department," or "Police." Said identification tags shall be prominently displayed on the front left side of the employee or agent's shirt. All booting business vehicles shall display the company name (or name of joint venture, or individual owner or other entity ownership) on the driver and passenger side of the vehicle in letters at least three (3) inches high. The company's address (or address of joint venture, or individual owner or other entity ownership) and telephone number shall be displayed on the driver and passenger side of the vehicle in letters at last one (1) inch high. No

booting business shall use the words "Enforcement," "Department," or "Police," in its advertising, signs, stickers or identifications.

~~(13)~~(17) Each person who performs immobilization must enter into a written contract with every owner of private property that authorizes the person to immobilize vehicles on their property. Each contract that is in effect or that was terminated within the previous twelve (12) months must be kept on file. The city manager, law enforcement officers, and the owner of the vehicle that was immobilized may inspect and copy such contract during business hours.

~~(14)~~(18) Any person who improperly causes a vehicle to be immobilized shall be liable to the vehicle owner or his authorized representative for the cost of the services provided, any damages results from the immobilization, and the immobilization and attorney's fees.

~~(15) The individual person or agency performing the booting service has first obtained and maintains a permit issued by the city manager in accordance with section 11-213(a), (b)[(c)](1), (9), (11), (12), (13) and (15), and subject to the provisions in sections 11-214 and 11-216 (any reference to towing permit in this section shall mean "immobilization permit").~~

~~(16)~~(19) The permitted immobilization ~~business~~ operator providing the booting service carries at least one hundred thousand dollars ($100,000.00) in liability insurance, which will cover any damage to the vehicle.

~~(17)~~(20) The permitted immobilization ~~business~~ operator providing the booting service must comply with section 11-212 ~~(a)~~(1) and 11-219 of this article (any reference in these sections to tow shall mean "immobilization" or "booting").

~~(18)~~(21) Persons who provide services pursuant to this section shall not use profane language, physical force or violence or threats of physical force or violence in dealing with the individuals responsible for administering this article or individuals who have had or are about to have their vehicles booted or immobilized.

~~(19)~~(22) Persons who provide services pursuant to this section shall maintain a place of business. The place of business shall have a sign that clearly and conspicuously identifies the business to the public; and office space that has at least one (1) person on duty from 8:00 a.m. until 6:00 p.m., Monday through Friday, to answer telephone calls and to be open to serve the public and records requests made pursuant to section 11-219. However, the office may be closed to observe all holidays observed by the city government. The place of business shall maintain a telephone communication system to answer telephone calls from the public twenty-four (24) hours a day. The permit issued by the city manager shall be prominently displayed to the public at the business location.

Exhibit "2"

Categories and Maximum Rates for Non-consensual Towing and Immobilization Services

1. To the extent permitted by law, set forth below are the maximum rates for providing recovery, towing, immobilization, and removal services authorized by the city pursuant to this article:

1.1 *Class "A" Tow Trucks*

a. Tow rate (hook-up and 1st one-half (½) hour at scene) $88.00

b. Per towed mile after first five (5) miles 3.00

c. Rate if released on scene 44.00

d. Extra labor/waiting time at scene (after first one-half (½) hour), per one-fourth (¼) hour thereafter 20.00

1.2 *Class "B" Tow Trucks*

a. Tow rate (hook-up and 1st one-half (½) hour at scene) 150.00

b. Per towed mile after first five (5) miles 3.50

c. Extra labor/waiting time at scene (after first one-half (½(hour) per one-fourth (¼) hour thereafter 37.50

1.3 *Class "C" Tow Trucks*

a. Tow rate (hook-up and 1st one-half (½) hour at scene) 175.00

b. Per towed mile after first five (5) miles 4.50

c. Extra labor/waiting time at scene (after first one-half (½) hour) per one-fourth (¼) hour thereafter 43.75

2. Class "A" and "B" Slide back car carriers, miscellaneous and other charges applicable to classes "A", "B", and "C" above:

2.1 *Slide Back Car Carriers*

a. Tow rate (hood-up and 1st one-half (½) hour at scene) 175.00

b. Per towed mile after first five (5) miles 4.50

c. Extra labor/waiting time at scene (after first one-half (½) hour) per hour thereafter 43.75

Categories and Maximum Rates for Non-consensual Towing Services

2.2 *Dollies*

Class "A" (except private property tows), per job 35.00

2.3 *Underwater recovery salvage divers*

a. For first hour/per diver 125.00

b. For each additional fifteen (15) minutes 31.25

Per one-fourth (¼) hour or any fraction thereof over the first hour per diver

3. Storage rates: The following rates shall be set for the storage of vehicles. However, pursuant to F.S. § 713.78(2), no storage fee shall be charged if the vehicle is stored for less than six (6) hours. The storage rate charges shall be based upon each twenty-four (24) hour increment, after the first six (6) hours, rather than by calendar day.

3.1 *Inside storage*

a. Cars, per day 25.00

b. Motorcycles and scooters, per day 12.00

c. Any vehicle/trailer over twenty (20) feet, per day 40.00

3.2 *Outside storage*

a. Cars, per day 20.00

b. Motorcycles and scooters, per day 10.00

c. Any vehicle/trailer over twenty (20) feet, per day 35.00

3.3 Weatherproof cover/protection (add'l.), per day 0.50

4. Immobilization Rate: The maximum rate for removal of an immobilization device shall not exceed $30.00.

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Section 2. **Repeal.** All ordinances or parts of ordinances in conflict or inconsistent are hereby repealed.

Section 3. **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of 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. **Codification.** The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 12 day of March, 2013.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 26 day of March, 2013.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM ONLY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: ADMINISTRATION

Moved by: Councilman Marcellus

Seconded by: Councilman Galvin

Vote:

Mayor Andre D. Pierre, Esq.	x (Yes)	____ (No)
Vice Mayor Marie Erlande Steril	x (Yes)	____ (No)
Councilperson Michael R. Blynn, Esq.	x (Yes)	____ (No)
Councilperson Scott Galvin	x (Yes)	____ (No)
Councilperson Jean R. Marcellus	x (Yes)	____ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.