

ORDINANCE NO. 1506

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING
CHAPTER 5 OF THE CODE OF ORDINANCES
ENTITLED, "BUILDING STANDARDS AND
REGULATIONS", AT ARTICLE VI ENTITLED "FORTY-
YEAR BUILDING RECERTIFICATION", SPECIFICALLY
AT SECTION 5-37 ENTITLED "FORTY-YEAR BUILDING
RECERTIFICATION" TO REFLECT MIAMI-DADE
COUNTY'S REQUIREMENT TO INITIATE BUILDING
RECERTIFICATION INSPECTIONS STARTING AT A
BUILDING AGE OF THIRTY (30) YEARS AND EVERY
TEN (10) YEARS THEREAFTER; PROVIDING FOR
CONFLICT AND SEVERABILITY; PROVIDING FOR
CODIFICATION; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, in the wake of the Champlain South Tower collapse, the Miami-Dade County Board of Rules and Appeals conducted a series of public meetings and discussions with the Building Officials and industry to consider whether any enhancements to the existing building recertification process in Miami - Dade County were advisable; and

WHEREAS, as a result, on June 1, 2022, the Miami-Dade County Commission amended the Miami-Dade County Code pertaining to recertification procedures for existing buildings changing the building recertification requirement from a building age of forty (40) years to thirty (30) years; and

WHEREAS, in order to ensure compatibility between the Miami-Dade County Code and the City of North Miami Code, City staff recommends the adoption of the proposed ordinance amendment; and

WHEREAS, the Mayor and City Council recognize the need to update the City Code to reflect building recertification inspections starting at a building age of thirty (30) years and every ten (10) years thereafter.

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

Section 1. Amendment. Chapter 5 of the City Code of Ordinances, entitled “Building Standards and Regulations” is hereby amended at Article VI and Section 5-37, as follows:

CHAPTER 5. BUILDING STANDARDS AND REGULATIONS

* * * * *

ARTICLE VI. ~~FOURTY YEAR~~ THIRTY YEAR BUILDING RECERTIFICATION

* * * * *

Sec. 5-37. – Forty Thirty-year building recertification.

Miami-Dade County requires that all buildings and structures, except single-family residences, duplexes, and minor structures as defined in the Miami-Dade County Code, shall be inspected for recertification, certifying that each building or structure is structurally and electrically safe, in conformity with the minimum inspection procedural guidelines as issued by the county.

(1) An application fee shall be assessed for the ~~forty~~ thirty-year building recertification and for each subsequent recertification at ten-year intervals thereafter in accordance with subsection 8-11(f) of Miami-Dade County Code, as may be amended from time to time.

(2) If the building has not been recertified within the specified deadline provided by the County Code section referenced in subsection (1), the property owner shall pay a late compliance fee per building or structure, in addition to the recertification application fee. In the event a building is declared unsafe by the city building official, enforcement fines may also apply until such time as the violation is abated.

(3) Whenever a property owner fails or refuses to comply with the ~~forty~~ thirty-year building recertification requirement or the property is deemed unsafe by the city's building official, the city may initiate enforcement proceedings through the city's special magistrate as provided in Chapter 21 of this Code.

* * * * *

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

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith be and the same 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. It is the intention of the City Council of the City of North Miami, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and the word "Ordinance" shall be changed to "Section" or other appropriate words.

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 13th day of June, 2023.

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 27th day of June, 2023.



ALIX DESULME, Ed.D.
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Charles

Seconded by: Estimé-Irvin

Vote:

| | |
|-------------------------------------|---------------------------|
| Mayor Alix Desulme, Ed.D. | <u>X</u> (Yes) _____ (No) |
| Vice-Mayor Mary Estimé-Irvin | <u>X</u> (Yes) _____ (No) |
| Councilman Scott Galvin | <u>X</u> (Yes) _____ (No) |
| Councilwoman Kassandra Timothe, MPA | <u>X</u> (Yes) _____ (No) |
| Councilman Pierre Frantz Charles | <u>X</u> (Yes) _____ (No) |

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