

RESOLUTION NO. 2018-R-109

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA,
AUTHORIZING THE CITY MANAGER AND THE CITY
ATTORNEY TO REVOKE SHORT TERM RENTAL
STATUS FOR THE PROPERTY LOCATED AT 12459
KEYSTONE BOULEVARD; PROVIDING FOR AN
EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

WHEREAS, on June 10, 2008, the Mayor and City Council of the City of North Miami, Florida adopted Ordinance No. 1255 which banned the use of single family residences for short term rentals throughout the City; and

WHEREAS, by a letter dated October 26, 2009, City Manager Clarence Patterson recognized that 6 properties located in the City were being used as short term rentals prior to the enactment of Ordinance No. 1255 and were therefore recognized as being “grandfathered” in as short term rentals; and

WHEREAS, the property located at 12459 Keystone Boulevard (the “Property”) was one of the properties recognized as being grandfathered which retained its non-conforming use status; and

WHEREAS, the Property is regularly advertised for use as a short term rental on various platforms such as Airbnb.com; and

WHEREAS, on or about June 12, 2018, the Property was rented as short term rental and used for a house party in violation of City Codes; and

WHEREAS, the party on June 12, 2018, was broken up by the North Miami Police Department (NMPD) after gunshots were fired; and

WHEREAS, on or about August 5, 2018, another house party was held on the Property which again required the involvement of NMPD to break up; and

WHEREAS, Article 6, Division 1 of the City’s LDR’s prohibits the continuation of a non-conforming use when it produces external impacts that become a nuisance or hazard to residents; and

WHEREAS, it has been determined that in order to preserve property values and to protect the health, safety, and general welfare of permanent residents, lot/parcel owners, investors, and transient occupants and visitors alike, the short term rental status of the Property must be revoked; and

WHEREAS, the Mayor and City Council of the City of North Miami have determined that revocation of short term rental status of the Property is in the best interest of the City.

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

Section 1. Revocation of Short Term Rental Status. The Mayor and City Council of the City of North Miami, Florida, hereby determine that in order to preserve property values and to protect the health, safety, and general welfare of permanent residents, lot/parcel owners, investors, and transient occupants and visitors alike, the short term rental status of the property located at 12459 Keystone Boulevard must be revoked.

Section 2. City Manager and City Authority. The Mayor and City Council of the City of North Miami, Florida, hereby grant the City Manager and City Attorney full authority to take whatever steps necessary to revoke the short term rental status of the property located at 12459 Keystone Boulevard.

Effective Date. This Resolution shall become effective immediately upon adoption. **PASSED AND ADOPTED** by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 12th day of September, 2018.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P.H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: COUNCILMAN SCOTT GALVIN

Moved by: Galvin

Seconded by: Bien-Aime

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Carol Keys, Esq.
Councilman Scott Galvin
Councilman Philippe Bien-Aime
Councilman Alix Desulme

_____ (Yes) X (No)
X (Yes) _____ (No)
X (Yes) _____ (No)
X (Yes) _____ (No)
X (Yes) _____ (No)