

RESOLUTION NO. 2018-R-143

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO TAKE ALL LEGAL ACTION NECESSARY, INCLUDING INITIATING ANY AND ALL LITIGATION, IN LAW OR IN EQUITY, TO ELIMINATE ADVERTISEMENTS ON WWW.PIERSHARE.COM AND OTHER SIMILAR WEBSITES; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, Section 29-5-601(E)(5) 21-66 of the City of North Miami (“City”) Code of Ordinances states that the “renting of docks, dock space, or moorings, and the rental of boats or any portion thereof, for any purpose whatsoever shall be specifically prohibited in residential districts”; and

WHEREAS, City staff has identified several advertisements on www.piershare.com offering dock space within the residential districts of the City; and

WHEREAS, in an effort to curb these advertisements, the City sent correspondence to PierShare, LLC informing them that the rental of dock space in residential areas is a violation the City’s Code of Ordinances; and

WHEREAS, the City has not received any response from PierShare and a search of their website shows that the advertisements are still ongoing; and

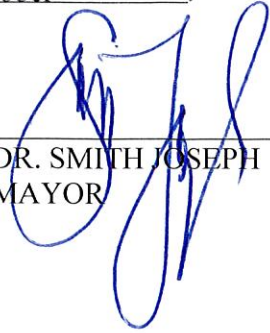
WHEREAS, the Mayor and City Council, after being fully advised, have determined that it is in the best interest of the City and its residents to proceed to litigation against PierShare, LLC to eliminate advertisements of dock space within the residential areas of the City.

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

Section 1. Authorization to City Attorney. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Attorney against PierShare, LLC and other similar websites to eliminate advertisements of dock space within the residential areas of the City.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.


PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 23rd day of October, 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: Mayor Joseph
Seconded by: Galvin

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Carol Keys, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilman Philippe Bien-Aime	<u>X</u>	(Yes)	_____	(No)
Councilman Alix Desulme	_____	(Yes)	_____	(No) Absent