



**APPLICATION FOR SITE PLAN APPROVAL**

LIST ALL FOLIO #S: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

PROPOSED PROJECT NAME: \_\_\_\_\_

- 1. NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

\_\_\_\_\_  
\_\_\_\_\_

- 2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone#: \_\_\_\_\_

- 3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone#: \_\_\_\_\_

- 4. CONTACT PERSON'S INFORMATION:**

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone# \_\_\_\_\_ Fax# \_\_\_\_\_ E-mail: \_\_\_\_\_





**5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

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**6. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc).

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**7. SIZE OF PROPERTY** (in acres): \_\_\_\_\_ (divide total sq. ft. by 43,560 to obtain acreage)

**8. DATE PROPERTY**  acquired  leased: \_\_\_\_\_

**9. LEASE TERM:** \_\_\_\_\_ Years (Month & year)

**10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S),** provide Complete legal description of said contiguous property.

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11. Is there an option to purchase  or lease  the subject property or property contiguous thereto?  no  yes (if yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

\_\_\_\_\_

12. PRESENT ZONING AND FLU CLASSIFICATION: \_\_\_\_\_

13. PROPOSED USE OF PROPERTY (describe nature of the request in space provided)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Has a public hearing been held on this property within the last year & a half?

No  yes.

If yes, provide applicant's name, and date, purpose and results of hearing, and resolution number:

\_\_\_\_\_  
\_\_\_\_\_

15. Is this hearing a result of a violation notice?

No  yes. If yes, give name to whom the Violation notice was served and describe the violation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property:

\_\_\_\_\_

17. Is there any existing use on the property?  No  yes. If yes, what use and when established?

Use: \_\_\_\_\_ Year: \_\_\_\_\_





**18. Submitted Materials Required:**

**Please check all that Apply:**

- Letter of intent
- Justifications for change
- Statement of hardship
- Proof of ownership or letter from owner
- Power of attorney
- Contract to purchase (if applicable)
- Current survey (2 original sealed and signed and 10 reduced 11x17 copies)
- Complete set of plans 24'x36", scale 1'=50' (2 original sealed and signed and 10 reduced 11x17 copies)
- Colored rendering of all 4 sides of each proposed building (If applicable)
- 20% Property owner signatures (If required)
- Mailing Labels (set amount depends on number of hearings) and map (If required)
- Required Fee(s)
- Plans must be approved by Miami-Dade County Fire and Rescue Department with an original stamp and signature from the Fire Dept.
- Necessary documentation from DERM and WASD
- Lobbyist Registration Form





**APPLICANT'S AFFIDAVIT**

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

**OWNER OR TENANT AFFIDAVIT**

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(We are) the  owner  tenant of the property described and which is the subject matter of the proposed hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

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**CORPORATION AFFIDAVIT**

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(We are) the  President  Vice-President  Secretary  Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the  owner  tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

(Corp. Seal)

\_\_\_\_\_  
Office Held

Sworn to and subscribed to before me

Notary Public: \_\_\_\_\_

\_\_\_\_\_  
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Commission Expires: \_\_\_\_\_





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**PARTNERSHIP AFFIDAVIT**

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that  
(I am )(We are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the  owner  tenant of the property described herein which is the subject matter of the proposed hearing.

By \_\_\_\_\_ %  
By \_\_\_\_\_ %

\_\_\_\_\_  
(Name of Partnership)  
By \_\_\_\_\_  
By \_\_\_\_\_

Sworn to and subscribed to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\*\*\*\*\*

**ATTORNEY AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_





## RESPONSIBILITIES OF THE APPLICANT

### **I AM AWARE THAT:**

1. The Department Environmental Resources Management (DERM), and other agencies review and critique zoning applications which may affect the scheduling and outcome of applications. These reviews may require additional public hearings before DERM's Environmental Quality Control Board (EQCB), or other boards, and /or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Application withdrawn within 30 days of the filing are eligible for a refund of 25% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
3. The South Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and that a building permit will probably be required. I am responsible for obtaining permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use and Occupancy must be obtained for the use of the property after it has been approved at Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or of Use and Occupancy will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc. Case No. 3d01-2347 (Fla. 3<sup>rd</sup> DCA 2002), the 3<sup>rd</sup> District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of covenants. This is not a final decision and the County Attorney's Department professional staff to develop new standards that will address the Court's concerns. While the new standards are being developed, applicants are advised that any non-use variance, special exception, unusual use, new use requiring a public hearing or request for modification of covenants granted under the existing standards are subject to being reversed in the courts. An applicant wishing to avoid the substantial legal risks associated with going forward under the existing standard may seek a deferral until the new standards are developed.



- 6. Any covenant to be proffered must be submitted to the Town of Cutler Bay Legal Counsel, on Town form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. And that Legal Counsel must carry a cover letter indicating subject matter, application number and hearing date.
- 7. The Town of Cutler Bay Department of Public Works reviews and critiques Zoning applications and may require conditions for approval.
- 8. Each party will be limited to a presentation of 20 minutes. This time limitation may be extended by the Chair of the meeting.
- 9. **THE APPLICANT IS RESPONSIBLE FOR TRACKING THE STATUS OF THE APPLICATION AND ALL HEARINGS THAT MAY BE ASSOCIATED WITH THIS APPLICATION.**

\_\_\_\_\_

(Applicant's Signature)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_

(Notary Public)

My Commission Expires: \_\_\_\_\_





### DISCLOSURE OF INTEREST

If the property, which is the subject of the Application, is owned or leased by a **CORPORATION**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

\_\_\_\_\_

Corporation Name

Name, Address and Office

Percentage of stock

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the property, which is the subject of the Application, is owned or leased by a **TRUSTEE**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

\_\_\_\_\_

Trust Name

Name, Address and Office

Percentage of stock

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the property, which is the subject of the Application, is owned or leased by a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

\_\_\_\_\_

Partnership or Limited Partnership Name

Name, Address and Office

Percentage of stock

\_\_\_\_\_

\_\_\_\_\_





\_\_\_\_\_  
\_\_\_\_\_

### COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent to the payment of **all applicable fees** involved as part of my application process. These fees include but are not limited to: application fees, postage, advertising, and attorney fees **regardless of the outcome of the public hearing.**

Please type or print the following:

Date: \_\_\_\_\_ Public Hearing No. \_\_\_\_\_

Full Name:

Mr. Mrs. Ms. \_\_\_\_\_

Current Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone Number (\_\_\_\_\_) \_\_\_\_\_

Date of Birth: \_\_\_\_\_

\_\_\_\_\_  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large

My Commission expires \_\_\_\_\_ 20\_\_\_\_





Pursuant to Ordinance No. 2000-09-33-Cost Recovery





# TOWN OF CUTLER BAY LOBBYIST REGISTRATION FORM

Office of the Town Clerk, 10720 Caribbean Blvd., Suite 105, Cutler Bay FL 33189  
Telephone (305) 234-4262 Fax (305) 234-4251

Calendar Year: \_\_\_\_\_

**NOTE:**

- All lobbyist and Principal (Client) Registrations automatically expire on December 31<sup>st</sup> of each year.
- Each person who withdraws as a lobbyist must file a "Notice of Withdrawal" with the Town Clerk.
- On or before July 1st of each year, every lobbyist must file an expenditure statement with the Town Clerk for the preceding calendar year, regardless of the level of activity of the lobbyist, but only if the lobbyist has incurred expenses during the reporting period.
- Lobbyist contact reports shall be filed with the Town Clerk prior to the Public Hearing.
- All Lobbyist Expenditure Reports and Notices of Withdrawal shall be submitted to the Town Clerk.
- Violation may be punishable by a fine of \$250.00 in addition to other remedies allowed by law.

## I. LOBBYIST INFORMATION

\_\_\_\_\_  
Last Name First Name Middle Initial

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Business Address City State Zip Code

\_\_\_\_\_  
Phone Number Fax Number E-Mail Address

## II. PRINCIPAL INFORMATION

Name, address and phone number of principal (i.e., person, business, entity, governmental entity, religious organization, non-profit corporation, or association whose interest you represent or by whom you are employed.)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address City State Zip Code

\_\_\_\_\_  
Phone Number Fax Number

Long Term  Short Term  Under Contract  One Time Only

(Other principal or interests holding directly or indirectly a five percent (5%) or more ownership interest (Attach additional sheet, if necessary): \_\_\_\_\_

## III. LEGISLATIVE ISSUE INFORMATION

Brief description of issue and specify department, council or other committee in which you will lobby (Attach additional sheet, if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE TOWN CLERK SHALL REJECT ANY STATEMENT WHICH DOES NOT DETAIL THE ISSUE ON WHICH THE LOBBYIST HAS BEEN EMPLOYED.**



**TOWN OF CUTLER BAY  
LOBBYIST REGISTRATION FORM**

Office of the Town Clerk, 10720 Caribbean Blvd., Suite 105, Cutler Bay FL 33189  
Telephone (305) 234-4262 Fax (305) 234-4251

**IV. PERSONAL AFFILIATIONS**

Lobbyist identified under Sec. 2-11.1(s) of the Miami-Dade County Code, as amended and Sec. 7.6 of the Town Charter, shall state the extent of any business or professional relationship with any member of the Town Council (please state below).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you been employed by the Town of Cutler Bay in the last two (2) years?

- Yes       No

If Yes, state the department in which you were employed: \_\_\_\_\_

*Pursuant to Sec. 7.6(a) (3) of the Town Charter, any person who registers as a lobbyist shall disclose in writing all Town government officials directly contacted by the lobbyist before the public hearing and any expenditures involved annually by July 1<sup>st</sup>.*

**V. OATH**

**I, THE UNDERSIGNED REGISTRANT, DO HEREBY DEPOSE UNDER OATH AND SAY THAT THE INFORMATION HEREIN IS TRUE AND CORRECT AND I HAVE READ AND AM FAMILIAR WITH PROVISIONS IN THE MIAMI-DADE COUNTY CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE AS AMENDED AND THE TOWN OF CUTLER BAY LOBBYIST ORDINANCE, INCLUDING WITHDRAWAL AND REPORTING REQUIREMENTS.**

\_\_\_\_\_  
Lobbyist Signature

\_\_\_\_\_  
Printed Name

State of      **Florida**  
County of    **Miami-Dade**

Sworn and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_ Personally Known or \_\_\_\_ Produced ID      \_\_\_\_\_ Notary Public

Type of ID Produced: \_\_\_\_\_      [SEAL]

**VI. FEES**

Annual Registration Fee:      \$250.00 **per Lobbyist, per Issue**

Registration Fee Paid

- Check       Credit Card (In-Person Only)       Not-For-Profit





**TOWN OF CUTLER BAY  
PRINCIPAL CLIENT DISCLOSURE FORM**

Office of the Town Clerk, 10720 Caribbean Blvd., Suite 105, Cutler Bay FL 33189  
Telephone (305) 234-4262 Fax (305) 234-4251

**III. PRINCIPAL DECLARATION**

In accordance with Miami-Dade County Code Section 2-11.1(s)(2)(c),  
I, \_\_\_\_\_, hereby declare that \_\_\_\_\_  
Name of Principal Name of Lobbyist  
is authorized to represent me regarding subject matter as listed in Section II of this form, and  
will at the time at which a lobbyist is no longer authorized to represent me, notify the Town of  
Cutler Bay Town Clerk in writing immediately.

\_\_\_\_\_  
Signature of Principal

**IV. OATH**

**LOBBYIST:**

**I, THE UNDERSIGNED REGISTRANT, DO HEREBY DEPOSE UNDER OATH AND SAY  
THAT THE INFORMATION HEREIN AND ON ANY ATTACHMENT HERETO IS TRUE  
AND CORRECT.**

\_\_\_\_\_  
Lobbyist Signature

\_\_\_\_\_  
Printed Name

State of **Florida**

County of **Miami-Dade**

Sworn and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_ Personally Known or \_\_\_\_ Produced ID \_\_\_\_\_

Type of ID Produced: \_\_\_\_\_

Notary Public  
[SEAL]

**PRINCIPAL:**

**I, THE UNDERSIGNED REGISTRANT, DO HEREBY DEPOSE UNDER OATH AND SAY  
THAT THE INFORMATION HEREIN AND ON ANY ATTACHMENT HERETO IS TRUE  
AND CORRECT.**

\_\_\_\_\_  
Principal Signature

\_\_\_\_\_  
Printed Name

State of **Florida**

County of **Miami-Dade**

Sworn and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_ Personally Known or \_\_\_\_ Produced ID \_\_\_\_\_

Type of ID Produced: \_\_\_\_\_

Notary Public  
[SEAL]



**TOWN OF CUTLER BAY  
LOBBYIST EXPENDITURE REPORT FORM**

Office of the Town Clerk, 10720 Caribbean Blvd., Suite 105, Cutler Bay FL 33189  
Telephone (305) 234-4262 Fax (305) 234-4251

Calendar Year: \_\_\_\_\_

- NOTE:**
- All lobbyist and Principal (Client) Registrations automatically expire on December 31<sup>st</sup> of each year.
  - Each person who withdraws as a lobbyist must file a "Notice of Withdrawal" with the Town Clerk.
  - On or before July 1st of each year, every lobbyist must file an expenditure statement with the Town Clerk for the preceding calendar year, regardless of the level of activity of the lobbyist, but only if the lobbyist has incurred expenses during the reporting period.
  - Lobbyist contact reports shall be filed with the Town Clerk prior to the Public Hearing.
  - All Lobbyist Expenditure Reports and Notices of Withdrawal shall be submitted to the Town Clerk.
  - Violation may be punishable by a fine of \$250.00 in addition to other remedies allowed by law.

**I. LOBBYIST INFORMATION**

Last Name	First Name	Middle Initial	
Business Name			
Business Address	City	State	Zip Code
Phone Number	Fax Number	E-Mail Address	

**II. EXPENDITURES**

Expenditures include, but are not limited to meals, entertainment, research, communications, media/advertising, publications, travel, lodging, special event, gifts for public officers and employees, and more for the proceeding calendar year. (Attach additional sheet, if necessary)

Item	Amount	Name and Address of Person of Whom Expenditure Was Made	Nature of Kind of Expenditure For or on Behalf of Lobbyist
1.			
2.			
3.			
4.			

**III. LOBBYIST OATH**

"I, the undersigned registrant, do hereby depose under oath and say that the information disclosed herein and on any attachment hereto is true and correct."

Signature of Lobbyist	Print Name
State of Florida, County of _____	
Sworn to and subscribed before me this _____	_____
day of _____, 20____.	Notary Public
____ Personally Known or ____ Produced ID	
Type of ID Produced: _____	[SEAL]



**ORDINANCE NO.07-02**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA , CREATING REGULATIONS RELATED TO LOBBYISTS AND PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Cutler Bay (“Town”) desires to implement by ordinance the requirements of Town Charter Section 7.6 and to apply a more stringent lobbyist registration and disclosure requirement than Section 2-11.1(s) of Miami-Dade Code, which is currently applicable in the Town pursuant to Section 8.3 of the Town Charter.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above Recitals are true and correct and are incorporated herein by this reference.

**Section 2. Lobbyists and Principals.** The following provisions related to lobbyists and principals are hereby adopted:

**Lobbyists and Principals**

(A) All paid lobbyists, as may be defined by the Miami-Dade County Code, shall:

- (1) Register with the Town Clerk on the proscribed disclosure form as provided by the Town Clerk and pay annual fees of \$250 for each lobbyist prior to lobbying any Town Council member, employee, board or committee member;
- (2) Disclose in writing all persons and/or entities the lobbyist is representing upon registering and update this list within ten (10) days of being retained by a new principal or for a new project of an existing principal; and
- (3) Disclose in writing all Town government officials directly contacted by the lobbyist and any expenditures involved as defined by State law, before the public hearing.

The Town Clerk shall make available to the Town Council, prior to any public hearing, on the event or matter for which a registered lobbyist may appear, all disclosures required herein or as otherwise required by State or County law.

Any violation of the above shall render the issue being lobbied for or sought by the principal voidable. Violation of this section shall be punishable by a fine of \$250 in addition to any other remedies allowed by law.

**Section 3. 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.

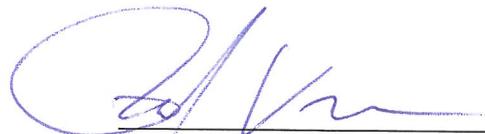
**Section 4. Inclusion In The Code.** It is the intention of the Town Council that the provisions of this Ordinance shall become and made a part of the Town of Cutler Bay Code; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Conflicts.** Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This ordinance shall supersede Section 2-11.1(s) of Miami Dade Code as made applicable to the Town pursuant to Town Charter Section 8.3 to the extent of any conflict therewith.

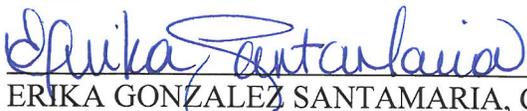
**Section 6. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

PASSED AND ADOPTED on first reading this 20<sup>th</sup> day of December, 2006.

PASSED AND ADOPTED on second reading this 17<sup>th</sup> day of January, 2007.

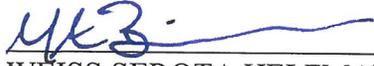
  
\_\_\_\_\_  
PAUL S. VROOMAN, Mayor

Attest:

  
\_\_\_\_\_  
ERIKA GONZALEZ SANTAMARIA, CMC  
Town Clerk



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:



WEISS SEROTA HELFMAN PASTORIZA  
COLE & BONISKE, P.A.  
Interim Town Attorney

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman	<u>YES</u>
Vice Mayor Edwards P. MacDougall	<u>YES</u>
Councilmember Peggy R. Bell	<u>YES</u>
Councilmember Timothy J. Meerbott	<u>YES</u>
Councilmember Ernest N. Sochin	<u>YES</u>