

MEMORANDUM

Agenda Item No. 6(D)

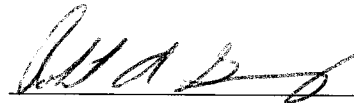
TO: Hon. Chairperson and Members
Board of County Commissioners

(Second Reading 10-7-03)
DATE: September 9, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance amending Chapter
8C, relating to Air Conditioning
Condenser Units

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Joe A. Martinez.



Robert A. Ginsburg
County Attorney


RAG/jls



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: George M. Burgess
County Manager 

SUBJECT: Ordinance amending
Chapter 8C, relating to Air
Conditioning Condenser Units

The proposed ordinance requiring construction companies installing air conditioning condenser units to secure them with bolts will not have a fiscal impact on Miami-Dade County.



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(D)

Please note any items checked.

- “4-Day Rule” (“3-Day Rule” for committees) applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Bid waiver requiring County Manager’s written recommendation**
- Ordinance creating a new board requires detailed County Manager’s report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(D)
10-7-03

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 8C OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO PARKING LOTS ILLUMINATION AND PUBLIC SWIMMING POOLS, SPAS, AND HOT TUB BARRIERS; AMENDING TITLE AND CREATING PROVISION REQUIRING THAT AIR CONDITIONING CONDENSER UNITS BE SECURED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, theft of residential air conditioning units has been rising in Miami-Dade County due to the rising number of new housing developments; and

WHEREAS, efforts to have construction companies voluntarily make changes to help prevent the theft of air conditioners have been unsuccessful and costly; and

WHEREAS, the Miami-Dade Police Department has recognized that there is a large number of "inside jobs" whereby installers are removing components following installation for re-sale at other job locations; and

WHEREAS, requiring air conditioning condenser units to be installed with bolts secured from within the condenser will be a strong deterrent to theft of these units,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The title of Chapter 8C is hereby amended to read as follows:¹

~~[[Parking Lots Illumination and Public Swimming Pools, Spas, and Hot Tub Barriers]]~~ >>Building Security Measures<<

Section 2. Section 8C-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8C-1 Provisions for parking lots illumination ~~[[and]]~~>>, air conditioning condenser unit security, and<< public swimming pools, spas, and hot tub barriers to be as set forth in this chapter and the Florida Building Code.

This chapter prescribes requirements for illumination for open parking lots, alleys and access thereto and parking under or within buildings for all buildings and structures>>, air conditioning condenser unit security,<< and barriers for new construction of public swimming pools, spas, and hot tubs.

Section 3. Section 8C-5 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

>>Sec. 8C-5. Air Conditioning Condenser Units Securing Methods.

All installations of exterior air conditioning condenser units in single-family and fee simple townhomes in unincorporated Miami-Dade County shall comply with the following:

- (1) An anchor bolt with a minimum of 500 pounds pull-out resistance shall secure the air conditioning condenser unit from within the unit through to the concrete slab on which the unit rests.<<

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

MMC

Mariela Martinez-Cid

Sponsored by Commissioner Joe A. Martinez