## APPENDIX A ORDINANCES CREATING MUNICIPALITIES [[1]](#BK_F9FB5A122C7E8F82039A6A1C98F7C8BB)

ORDINANCE NO. 60-45 [[2]](#BK_2A756E36B4F7930ED3D4BBBE3CB1934A)

ORDINANCE NO. 90-142

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN DADE COUNTY, FLORIDA, TO BE KNOWN AS KEY BISCAYNE, SUBJECT TO APPROVAL OF MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING BOUNDARIES OF SUCH MUNICIPALITY; PRESCRIBING POWERS; APPOINTING A CHARTER COMMISSION; REPEALING AND SUPERSEDING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Dade County, Florida, after hearing the recommendations of the planning advisory board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, the Metropolitan Dade County Planning Advisory Board has forwarded its recommendations to the County Commission; and

WHEREAS, the County Commission duly held and conducted a public hearing upon the question of creating such new municipality; and

WHEREAS, the County Commission by Resolution No. R-743-90, adopted July 24, 1990, as amended by Resolution No. R-946-90, adopted September 11, 1990, called a special election to be held on November 6, 1990, for the purpose of submitting to the electors voting and residing within the proposed boundaries the question of whether the creation of such new municipality shall be authorized by the County Commission; and

WHEREAS, at the election held on November 6, 1990, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, the County Commission finds and determines that all provisions and requirements of the Home Rule Charter governing the creation of a new municipality have been complied with, and that all steps necessary and lawfully taken, and that all applicable provisions of the law have been fully complied with and fulfilled.

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

*Section 1.* The foregoing recitations are hereby incorporated into this ordinance.

*Section 2.* The creation of a new municipality in Dade County, Florida, is authorized, and such municipality is hereby created subject to the provisions herein contained, to be known as Key Biscayne, and the boundaries of such municipality are hereby fixed, established and described as follows:

A portion of Sections 31, 32 and 33, in Township 54 South, Range 42 East, Dade County, Florida and a portion of Sections 4, 5 and 6, in Township 55 south, Range 42 East, Dade County, Florida, being more particularly described as follows:

BEGIN at the point of intersection of the west line of Crandon Boulevard with the south line of Crandon Park, said point of intersection also being the northeast corner of Tract 1 of SUBDIVISION OF A PORTION OF MATHESON ESTATE, KEY BISCAYNE, DADE COUNTY, FLORIDA, according to the plat thereof recorded in Plat Book 46 at Page 86 of the Public Records of Dade County, Florida; thence run westerly along said south line of Crandon Park, also being the north line of said Tract 1 and its westerly extension to a point in the waters of Biscayne Bay, said point being 1,200 feet westerly of the most northwesterly corner of Tract B of FOURTH ADDITION TO TROPICAL ISLE HOMES SUBDIVISION, according to the plat thereof recorded in Plat Book 53 at Page 39 of the Public Records of Dade County, Florida; thence run southwesterly, to a point in the waters if Biscayne Bay, said point being the point of intersection with the southwesterly extension of the southeasterly line of Lot 7 in Block 1 of MASHTA POINT SUBDIVISION, according to the plat thereof recorded in Plat Book 131 at Page 37 of the Public Records of Dade County, Florida, said point of intersection being 1,000 feet southwesterly of the most southeasterly corner of said Lot 7, as measured along the southwesterly extension of the southeasterly line of said Lot 7; thence run southeasterly to a point in the waters of Biscayne Bay, said point being the point of intersection of the southwesterly extension of the southeasterly line of Lot 17 of SMUGGLERS COVE, according to the plat thereof recorded in Plat Book 78 at Page 83 of the Public Records of Dade County, Florida with the westerly extension of the South line of the waterway shown on the plat of CANOGA PROPERTIES-KEY BISCAYNE FLORIDA, according to the plat thereof recorded in Plat Book 65 at Page 88 of the Public Records of Dade County, Florida; thence run easterly, along the south line of said waterway and its westerly and easterly extensions to a point in the Atlantic Ocean, 500 feet easterly of the Erosion Control Line, as said Erosion Control Line is shown on the plat thereof recorded in Plat Book 74 at Page 26 of the Public Records of Dade County, Florida; thence run northerly along a line 500 feet easterly of and parallel to the said Erosion Control Line to the point of intersection with the easterly extension of the said south line of Crandon Park; thence run westerly along the said south line of Crandon Park and its easterly extension to the Point of Beginning;

AND

BEGIN at the point of intersection of said south line of Crandon Park within the centerline of Crandon Boulevard, said centerline of Crandon Boulevard being the centerline of Tract 10 of said plat of SUBDIVISION OF A PORTION OF MATHESON ESTATE, KEY BISCAYNE, DADE COUNTY, FLORIDA and its northeasterly extension; thence run westerly along the south line of Crandon Park for a distance of 400 feet; thence run northerly at right angles to the south line of Crandon Park for a distance of 700 feet; thence run easterly parallel with the south line of Crandon Park for a distance of 750 feet more or less to said centerline of Crandon Boulevard; thence run southwesterly along said centerline of Crandon Boulevard for a distance of 783 feet more or less to the south boundary of Crandon Park and to the POINT OF BEGINNING.

*Section 3.* A Charter Commission for the City of Key Biscayne is hereby created and established, consisting of five (5) electors residing within the boundaries of said municipality, who shall propose a municipal charter to be submitted to the electors residing within the boundaries of such municipality at a special election to be called by the County Commission at the request of such Charter Commission. Copies of such proposed charter shall be made available to the electors of the municipality by the Charter Commission not less than thirty (30) days before the election. The following are hereby appointed as members of the Charter Commission:

|  |  |
| --- | --- |
| 1. | Betty Sime |
| 2. | Edward Sawyer |
| 3. | Roberto Campo |
| 4. | Louis Laredo |
| 5. | Michael Hill |

The members of the Charter Commission shall select a chairperson from the membership thereof, and such other officers as may be deemed necessary or desirable. The appointments herein made shall become effective immediately upon each member filing with the Clerk of the County Commission his acceptance of such appointment and oath of office.

*Section 4.* The City of Key Biscayne shall have all the powers and rights granted to and not withheld from municipalities by the Home Rule Charter and the Constitution and general laws of the State of Florida.

*Section 5.* All special laws applying only to Dade County, Florida, or to any municipality in Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution to supersede, nullify, modify or amend, or any part of any such law, in conflict with any provisions contained in this ordinance, are hereby repealed and superseded.

*Section 6.* The provisions of this ordinance authorizing the creation of said new municipality shall become effective immediately upon the adoption and approval of a municipal charter by the electors residing within the boundaries; all other provisions herein contained shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: December 18, 1990.

ORDINANCE NO. 95-73

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN DADE COUNTY, FLORIDA, KNOWN AS AVENTURA, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; APPOINTING A CHARTER COMMISSION; REPEALING AND SUPERSEDING CONFLICTING PROVISIONS; PROVIDING SEVERABILITY; INCLUSION IN THE CODE AND EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, in March 1994, the Planning Advisory Board forwarded its recommendations entitled "Aventura/Biscayne Incorporation Feasibility Study" to the County Commission; and

WHEREAS, on February 21, 1995, the County Commission conducted a public hearing upon the issue of creating such new municipality; and

WHEREAS, the County Commission by Resolution No. R-217-95, adopted on February 21, 1995, called a special election for April 11, 1995, for the purpose of submitting to the electors voting and residing within the proposed boundaries the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on April 11, 1995, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, the County Commission finds and determines that all provisions and requirements of the Dade County Home Rule Charter governing the creation of a new municipality have been complied with, and that all steps necessary have been lawfully taken, and that all applicable provisions of law have been fully complied with and fulfilled,

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

*Section 1.* The foregoing recitations are hereby incorporated into this ordinance.

*Section 2.* The creation of a new municipality in Dade County, Florida, is authorized, and such municipality, known as Aventura (subject to the municipal charter provided for herein,) is hereby created, subject to the provisions of this ordinance, and the boundaries of such new municipality are hereby fixed, established and described as follows:

Begin at the intersection of the centerline of the Florida East Coast Railway Company (FEC) one hundred foot wide right of way (R/W) with the county line between Dade County and Broward County, Florida; thence run easterly along the county line to the Westerly limit of the Town of Golden Beach; thence run Southerly along the Westerly limit of the Town of Golden Beach to the Southerly limit of the Town of Golden Beach; thence run Westerly along the Westerly extension of the Southerly limit of the Town of Golden Beach to the centerline of the Intracoastal Waterway: thence run Southerly along the center line of the Intracoastal Waterway and its Southerly extension to the Easterly extension of the North limit of the City of North Miami Beach; thence run Westerly along the Easterly extension of the North limit of the City of North Miami Beach, continuing Westerly, Southwesterly then Northerly and Westerly along the limits of the City of North Miami Beach to the centerline of the one hundred (100) foot wide FEC R/W; thence run Northeasterly along the center line of the one hundred (100) foot wide FEC R/W to the North County line and the Point of Beginning.

A sketch of the boundaries of Aventura is attached to this ordinance as Exhibit "A."

*Section 3.* A Charter Commission for the new municipality is hereby created and established, consisting of five electors residing within the boundaries of Aventura, who shall propose a municipal charter to be submitted to the electors residing within the boundaries of Aventura at a special election to be called by the County Commission at the request of such Charter Commission. To the extent consistent with the provisions of [Section 5.03](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.03FIAD) of the Dade County Home Rule Charter, it is the intention of the Board of County Commissioners to schedule such election on Tuesday, November 7, 1995. Copies of the proposed municipal charter shall be made available to the electors of Aventura by the Charter Commission not less than thirty (30) days before the election. The following electors and residents of Aventura are hereby appointed as members of the Charter Commission:

1. Mr. Burton Young, Chairperson

2. Dr. Mary L. Pankowski

3. Mr. George Feffer

4. Mr. Leonard Brenner

5. Ms. Irene J. Barouh

The members of the Charter Commission shall select such other officers from the membership thereof as may be deemed necessary or desirable. The appointments herein made shall become effective immediately upon each member filing with the Clerk of the County Commission his or her acceptance of such appointment and oath of office.

*Section 4.* The new municipality shall have all the powers and rights granted to or not withheld from municipalities by the Constitution and general laws of the State of Florida, and Dade County Home Rule Charter, as may be amended from time to time.

*Section 5.* All special laws applying only to Dade County, Florida, or to any municipality in Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution to supersede, nullify, modify or amend, or any part of any such law, in conflict with any provisions contained in this ordinance, are hereby repealed and superseded.

*Section 6.* 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 7.* It is the intention of the Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan 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 8.* The provisions of this ordinance authorizing the creation of said new municipality shall become effective immediately upon the adoption and approval of a municipal charter by the electors residing within the boundaries; all other provisions herein contained shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: May 02, 1995.

ORDINANCE NO. 95-207

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN DADE COUNTY, FLORIDA, KNOWN AS PINECREST, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; APPOINTING A CHARTER COMMISSION; REPEALING AND SUPERSEDING CONFLICTING PROVISIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, on June 5, 1995, the Planning Advisory Board's recommendation entitled "Pinecrest Incorporation Feasibility Study" was delivered to the members of the Board of County Commissioners; and

WHEREAS, the County Commission by Resolution No. R-809-95, adopted on June 8, 1995, called a special election for September 19, 1995, for the purpose of submitting to the electors voting and residing within the proposed boundaries the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on September 19, 1995, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, on November 21, 1995, the County Commission conducted a public hearing upon the issue of creating such new municipality; and

WHEREAS, the County Commission finds and determines that all provisions and requirements of the Dade County Home Rule Charter governing the creation of a new municipality have been complied with, and that all steps necessary have been lawfully taken, and that all applicable provisions of law have been fully complied with and fulfilled,

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

*Section 1.* The foregoing recitations are hereby incorporated into this ordinance.

*Section 2.* Subject to the provisions of this ordinance and to the municipal charter provided for herein, the creation of a new municipality in Dade County, Florida, is authorized, and such municipality, known as Pinecrest is hereby created and the boundaries of such new municipality are hereby fixed, established and described as follows:

LEGAL DESCRIPTION OF PROPOSED NEW MUNICIPALITY PINECREST

BEGIN at the intersection of the North line of Section 6, Township 55 South, Range 41 East, (being the centerline of N. Kendal Drive), with a line 35.00 feet Westerly of and parallel to the centerline of Old Cutler Road (Ingraham Highway); thence meander Southerly to Westerly, along the line that is 35.00 feet Westerly of and parallel to the centerline of said Old Cutler Road (being also the city limit line of the City of Coral Gables) to the point of intersection with the West line of the East 35.00 feet of the SE ¼ of [Section 12](../level2/PTIIICOOR_CH12EL.docx#PTIIICOOR_CH12EL), Township 55 South, Range 40 East; thence run Southerly, along the West line of the East 35.00 feet of the SE ¼ of said [Section 12](../level2/PTIIICOOR_CH12EL.docx#PTIIICOOR_CH12EL) (being the Westerly city limit line of the City of Coral Gables), to the South line of said [Section 12](../level2/PTIIICOOR_CH12EL.docx#PTIIICOOR_CH12EL); thence continue Southerly, along the Westerly city limit line of the City of Coral Gables and along the Westerly right-of-way line of said Old Cutler Road, to the point of intersection with the centerline of S. W. 128th Street (Lugo Road); thence run Easterly along the centerline of said S. W. 128th Street and along the city limit line of the City of Coral Gables, to the East line of [Section 13](../level2/PTIIICOOR_CH13EX.docx#PTIIICOOR_CH13EX), Township 54 South, Range 40 East; thence run Southerly, along the East line of the SE ¼ of said [Section 13](../level2/PTIIICOOR_CH13EX.docx#PTIIICOOR_CH13EX) and along the city limit line of the City of Coral Gables (also being the centerline of Red Road), to the point of intersection with the South line of said [Section 13](../level2/PTIIICOOR_CH13EX.docx#PTIIICOOR_CH13EX) (also being the centerline of S. W. 136th Street); thence run Westerly, along the South line of said [Section 13](../level2/PTIIICOOR_CH13EX.docx#PTIIICOOR_CH13EX) and continuing Westerly along the centerline of S. W. 136th Street (Howard Drive), to the point of intersection with the centerline of State Road No. 5 (U.S. #l); thence run Northeasterly along the centerline of said State Road No. 5, to the point of intersection with the centerline of Snapper Creek Canal (Canal No. C-2); thence run Easterly, along the centerline of said Snapper Creek Canal, to the point of intersection with the East line of the SW ¼ of Section 36, Township 54 South, Range 40 East; thence run Southerly, along the East line of the SW ¼ of said Section 36, to the point of intersection with the South line of said Section 36; thence run Easterly, along the South line of the SE ¼ of said Section 36, to the Southeast corner of said Section 36 (said last two (2) courses being along the city limit line of the City of South Miami); thence continue Easterly, along the North line of Section 6, Township 55 South, Range 41 East, to the POINT OF BEGINNING; all lying and being in Dade County, Florida.

Prepared by: Dade County Public Works Dept. Right of Way Division, September 25, 1995

A sketch of the boundaries of Pinecrest is attached to this Ordinance as Exhibit "A."

*Section 3.* A Charter Commission for the new municipality is hereby created and established, consisting of five electors residing within the boundaries of Pinecrest, who shall propose a municipal charter to be submitted to the electors residing within the boundaries of Pinecrest at a special election to be called by the County Commission at the request of such Charter Commission. Copies of the proposed municipal charter shall be made available to the electors of Pinecrest by the Charter Commission not less than thirty (30) days before the election. The following electors and residents of Pinecrest are hereby appointed as members of the Charter Commission:

1. Mr. Roger Carlton

2. Ms. Lynn M. Dannheisser

3. Ms. Sandra Diaz

4. Mr. Gary C. Matzner

5. Mr. Merrett R. Stierheim

The members of the Charter Commission shall select such officers as may be deemed necessary or desirable. The appointments herein made shall become effective immediately upon each member filing with the Clerk of the County Commission his or her acceptance of such appointment and oath of office.

*Section 4.* The new municipality shall have all the powers and rights granted to or not withheld from municipalities by the Constitution and general laws of the State of Florida, and Dade County Home Rule Charter, as may be amended from time to time.

*Section 5.* All special laws applying only to Dade County, Florida, or to any municipality in Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution to supersede, nullify, modify or amend, or any part of any such law, in conflict with any provisions contained in this ordinance, are hereby repealed and superseded.

*Section 6.* 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 7.* It is the intention of the Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan 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 8.* The provisions of this ordinance authorizing the creation of said new municipality shall become effective immediately upon the adoption and approval of a municipal charter by the electors residing within the boundaries; all other provisions herein contained shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: November 21, 1995 ORDINANCE NO. 00-112

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN MIAMI-DADE COUNTY, FLORIDA., KNOWN AS THE CITY OF MIAMI LAKES, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; SUPERSEDING CONFLICTING PROVISIONS; REPEALING [SECTION 2-8.7](../level3/PTIIICOOR_CH2AD_ARTIINGE.docx#PTIIICOOR_CH2AD_ARTIINGE_S2-8.7ADINREBIPRSEDEJOVEDBBBHBWBCBCSSMLOBUWIPECOUSFUWOCOCO) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO CONTRACTED SERVICES FOR NEW MUNICIPALITIES; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Miami-Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, [Chapter 20](../level2/PTIIICOOR_CH20MU.docx#PTIIICOOR_CH20MU), Article II of the Code of Miami-Dade County, Florida, provides a procedure for the incorporation of new municipalities in the unincorporated areas of Miami-Dade County, Florida; and

WHEREAS, this Board has received the recommendations of the Planning Advisory Board and the Boundaries Commission with regard to the proposed incorporation of the City of Miami Lakes; and

WHEREAS, on September 17, 1996, May 23, 2000, and September 19, 2000, this Board conducted public hearings upon the issue of creating such new municipality; and

WHEREAS, this Board by Resolution No. R-502-00, adopted on May 23, 2000, called a special election for September 5, 2000, for the purpose of submitting to the electors voting and residing within the proposed boundaries of the City of Miami Lakes the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on September 5, 2000, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, this Board by Resolution No. R-91 1-00, adopted September 7, 2000, as amended by Resolution No. R-949-00 adopted September 19, 2000, created a charter commission comprised of five electors residing within the boundaries of the proposed new City of Miami Lakes; and

WHEREAS, this Board is desirous of repealing provisions of the Code which limit the County's ability to provide services to new municipalities; and

WHEREAS, the Miami Lakes Municipal Advisory Committee has met and submitted its report that provides that the city (a) remain a part of the Miami-Dade Fire Rescue District, the Miami-Dade Library System, and the Miami-Dade Solid Waste System, (b) contract with the Miami-Dade Police Department for a specific level of patrol staffing and all support and specialized services and, (c) contribute the equivalent of one mill of municipal property tax revenues to Miami-Dade County into a Municipal Service Trust Fund. The Miami Lakes Municipal Advisory Committee Report is attached hereto as Exhibit "B" and incorporated herein by reference (the "Report"); and

WHEREAS, this Board hereby expresses its intent to authorize the creation of the new City of Miami Lakes effective at such time as the electors residing within the proposedboundaries of the City of Miami Lakes approve a municipal charter that incorporates the provisions of the Report and mandates implementation of the Report by an interlocal agreement with Miami-Dade County; and

WHEREAS, this Board finds and determines that all provisions and requirements of the [Miami-]Dade County Home Rule Charter and Code governing the creation of a new municipality have been complied with, all steps necessary have been lawfully taken, and all applicable provisions of law have been fully complied with and fulfilled,

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

*Section 1.* The foregoing recitations are hereby incorporated into this ordinance.

*Section 2.* The creation of a new municipality in Miami-Dade County, Florida, is authorized, and such municipality, known as the City of Miami Lakes is hereby created, subject to the provisions of this ordinance, and the approval of the municipal charter provided for herein, and the boundaries of such new municipality are hereby fixed, established and described as follows:

CITY OF MIAMI LAKES LEGAL DESCRIPTION

BEGINNING at the Southeast corner of Section 10, Township 52 South, Range 40 East in Miami-Dade County, Florida; thence Northwesterly along the Center Line of NW 78 Avenue as shown on the plat of PALMS SPRING NORTH SECTION-A SUBDIVISION, recorded in Plat Book 71 at Page 42 of the Public Records of Miami-Dade County, Florida, to the Center Line of NW 170 Street as shown on the aforesaid plat of PALMS SPRING NORTH SECTION-A SUBDIVISION; thence Southwesterly along the Center Line of said NW 170 Street to the North line of the South 40 feet of Section 10, Township 52 South, Range 40 East; thence Westerly along the said North line of the South 40 feet of Sections 10 and 9, Township 52 South, Range 40 East, said line also being the Center Line of NW 170 Street, to the Center Line of NW 89 Avenue as shown on the plat of ROYAL LANDINGS SUBDIVISION, recorded in Plat Book 154 at Page 54 of the Public Records of Miami-Dade County, Florida; thence continue Westerly along the Center Line of NW 170 Street to the East Limited Access right of way line of State Road No. 93 (I-75) as shown on the Florida State Department of Transportation Right-of-Way Map Section No. 87075-2402 dated December 1, 1978; thence South, Southeasterly, Southwesterly and Southeasterly along the said East Limited Access right of way line of I-75 through Sections 16 and 21, Township 52 South, Range 40 East, to the North line of the South 55 feet of said [Section 21](../level2/PTIIICOOR_CH21OFMIPR.docx#PTIIICOOR_CH21OFMIPR), said line also being the North right of way line of the NW 138 Street canal; thence South for 55 feet to the South line of said [Section 21](../level2/PTIIICOOR_CH21OFMIPR.docx#PTIIICOOR_CH21OFMIPR), said line also being the North boundary line of the City of Hialeah; thence Easterly along the South line of Sections 21, 22, 23 and 24, Township 52 South, Range 40 East, also being the North boundary line of the City of Hialeah, to the East line of said [Section 24](../level2/PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR.docx#PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR); thence continue Easterly along the Easterly extension of the South line of said [Section 24](../level2/PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR.docx#PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR), to the East line of the West 50 feet of [Section 19](../level2/PTIIICOOR_CH19REPROWMEAC.docx#PTIIICOOR_CH19REPROWMEAC), Township 52 South, Range 41 East in Miami-Dade County, Florida, said line being also the Center Line of NW 57 Avenue; thence Northerly along the said Center Line of NW 57 Avenue through Sections 19, 18, and 7, to the South Limited Access right-of-way line of the State Road No. 826 (Palmetto Expressway) as shown on the Florida State Department of Transportation Right-of-Way Map Section 8726-103 recorded in Road Plat Book 60 at Page 91 of the Public Records of Miami-Dade County, Florida; thence Westerly along the South Limited Access right-of-way line of the said Palmetto Expressway, to the East line of [Section 13](../level2/PTIIICOOR_CH13EX.docx#PTIIICOOR_CH13EX), Township 52 South, Range 40 East; thence continue Westerly along the South Limited Access right-of-way line of the said Palmetto Expressway through Sections 13 and 14, to a point of curvature of a curve at the bend of the said Palmetto Expressway with NW 77 Avenue; thence Southwesterly along the are of said curve, also being the Southwesterly Limited Access right-of-way line of the aforesaid Palmetto Expressway, to the South line of Tract 27 of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1 of [Section 14](../level2/PTIIICOOR_CH14FIPR.docx#PTIIICOOR_CH14FIPR), Township 52 South, Range 40 East in Miami-Dade County, Florida, according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida; thence Westerly along the South line of said Tract 27 to the East line of the West 40 feet of said [Section 14](../level2/PTIIICOOR_CH14FIPR.docx#PTIIICOOR_CH14FIPR), said line also being the Center Line of NW 77 Avenue as shown on the plat of ADAIR SUBDIVISION, recorded in Plat Book 151 at Page 35 of the Public Records of Miami-Dade County, Florida; thence Northerly along the said East line of the West 40 feet of said [Section 14](../level2/PTIIICOOR_CH14FIPR.docx#PTIIICOOR_CH14FIPR), said line also being the Center Line of NW 77 Avenue as shown on the aforesaid plat of ADAIR SUBDIVISION, to the Center Line of NW 169 Street as shown on the plat of TURTLE RUN ESTATES SUBDIVISION, recorded in Plat Book 146 at Page 86 of the Public Records of Miami-Dade County, Florida; thence Northwesterly along the Center Line of NW 169 Street as shown on the aforesaid plat of TURTLE RUN ESTATES SUBDIVISION to the Southeast corner of said Section 10 and the POINT OF BEGINNING.

A sketch of the boundaries of the City of Miami Lakes is attached to this Ordinance as Exhibit "A."

*Section 3.* The new municipality shall have all the powers and rights granted to or not withheld from municipalities by the Constitution and general laws of the State of Florida, and the [Miami-]Dade County Home Rule Charter, as may be amended from time to time.

*Section 4.* [Section 2-8.7](../level3/PTIIICOOR_CH2AD_ARTIINGE.docx#PTIIICOOR_CH2AD_ARTIINGE_S2-8.7ADINREBIPRSEDEJOVEDBBBHBWBCBCSSMLOBUWIPECOUSFUWOCOCO) of the Code of Miami-Dade County, Florida is hereby repealed in its entirety.

*Section 5.* All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County, in conflict with any provisions contained in this ordinance, are hereby repealed and superseded.

*Section 6.* The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

*Section 7.* 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 8.* 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.

*Section 9.* This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: Sept. 19, 2000

ORDINANCE NO. 02-118

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN MIAMI-DADE COUNTY, FLORIDA, CURRENTLY KNOWN AS PALMETTO BAY, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; APPROVING UNDER CERTAIN CONDITIONS THE MUNICIPAL BOUNDARY CHANGE OF AN AREA KNOWN AS KINGS BAY FROM THE VILLAGE OF PALMETTO BAY TO CORAL GABLES; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Miami-Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, [Chapter 20](../level2/PTIIICOOR_CH20MU.docx#PTIIICOOR_CH20MU), Article II of the Code of Miami-Dade County, Florida, provides a procedure for the incorporation of new municipalities in the unincorporated areas of Miami-Dade County, Florida; and

WHEREAS, this Board has received the recommendations of the Planning Advisory Board and the Boundaries Commission with regard to the proposed incorporation of the area currently identified as Palmetto Bay; and

WHEREAS, on September 17, 1996 and November 20, 2001, this Board conducted public hearings upon the issue of creating such new municipality; and

WHEREAS, this Board by Resolution No. R-1296-01, adopted on November 20, 2001, called a special election for February 5, 2002, for the purpose of submitting to the electors voting and residing within the proposed boundaries of Palmetto Bay the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on February 5, 2002, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, this Board by Resolution No. R-213-02, adopted February 26, 2002, created a charter commission comprised of five electors residing within the boundaries of the proposed municipality; and

WHEREAS, this Board hereby expresses its intent to authorize the creation of the new municipality currently known as Palmetto Bay conditioned upon the electors residing within the proposed boundaries of such municipality approving a municipal charter that substantially incorporates the provisions of the Report and mandating that the municipality enter into an interlocal agreement with Miami-Dade County to implement provisions of such charter, as necessary, pertaining to the municipality's relationship with the County; and

WHEREAS, this Board finds and determines that all provisions and requirements of the Dade County Home Rule Charter and Code governing the creation of a new municipality have been complied with, all steps necessary have been lawfully taken, and all applicable provisions of law have been fully complied with and fulfilled,

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

Section 1. The foregoing recitations are hereby incorporated into this ordinance.

Section 2. The creation of a new municipality in Miami-Dade County, Florida, is authorized, and such municipality, known currently as Palmetto Bay subject to a name change to be determined upon adopting a charter, is hereby created, subject to the provisions of this ordinance, and the approval of the municipal charter provided for herein, and the boundaries of such new municipality are hereby fixed, established and described as follows:

See Exhibit A which is attached hereto and incorporated herein by reference.

A sketch of the boundaries of the proposed municipality is attached to this Ordinance as Exhibit "C."

Section 3. In the event that: (a) the charter of the proposed municipality is approved by the electors of the area, (b) the City of Coral Gables adopts a resolution requesting the boundaries of its city be amended to include the area known as Kings Bay, and (c) the electors of Kings Bay approve such separation and change of municipal boundaries, the Board of County Commissioners hereby approves, subject to the provisions of Palmetto Bay's Charter, such separation from Palmetto Bay and the change to the municipal boundaries of the City of Coral Gables which would effectuate the municipal boundary change transferring from Palmetto Bay to the City of Coral Gables the area known as Kings Bay, as is more particularly described below:

See Exhibit B which is attached hereto and incorporated herein by reference.

It is provided that the approval of the boundary changes as provided in this section shall be effective only upon the condition and with the reservation that the County shall collect and reserve all electric franchise revenues accruing within the Kings Bay area during the full term of the County franchise, and the County shall forever collect and receive all utility tax revenues accruing within the Kings Bay area in the same manner as though the Kings Bay area is a part of the unincorporated area of the County. It is further provided that the approval of the boundary changes as provided in this section shall be effective only upon the condition and with the reservation that the County shall forever collect and dispose of all residential waste within the Kings Bay area in the same manner as though such area is a part of the unincorporated area of the County, unless the authority to collect such waste is delegated by the County to the governing body of the municipality through a twenty (20) year interlocal agreement which provides for collection services, and a twenty (20) year interlocal agreement which provides for disposal services in substantially the form approved by Resolution No. R-1198-95. Failure to comply with prerequisites (a), (b) and (c) of this section within two hundred and seventy (270) days of the adoption of the proposed municipality's charter shall render this section null and void and of no force and effect and shall extinguish the County's approval as provided herein.

Section 4. All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County, in conflict with any provisions contained in this ordinance, are hereby repealed and superseded.

Section 5. The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 6. 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 7. 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.

Section 8. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: July 9, 2002

ORDINANCE NO. 03-59

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AS THE CITY OF MIAMI GARDENS, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Miami-Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, [Chapter 20](../level2/PTIIICOOR_CH20MU.docx#PTIIICOOR_CH20MU), Article II of the Code of Miami-Dade County, Florida, provides a procedure for the incorporation of new municipalities in the unincorporated areas of Miami-Dade County, Florida; and

WHEREAS, this Board has received the recommendations of the Planning Advisory Board with regard to the proposed incorporation of the area currently identified as Miami Gardens; and

WHEREAS, on December 3, 2002, this Board conducted a public hearing upon the issue of creating such new municipality; and

WHEREAS, this Board by Resolution No. R-1417-02 adopted on December 3, 2002, called a special election for January 28, 2003, for the purpose of submitting to the electors voting and residing within the proposed boundaries of Miami Gardens the question of whether the County Commission shall be authorized to create such new municipality, and

WHEREAS, at the election duly held on January 28, 2003, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, this Board by Resolution No. R-121-03, adopted February 20, 2003, created a charter commission comprised of five electors residing within the boundaries of the proposed municipality; and

WHEREAS, this Board hereby expresses its intent to authorize the creation of the new municipality known as Miami Gardens conditioned upon the electors residing within the proposed boundaries of such municipality approving a municipal charter that substantially incorporates the provisions of the North Dade Municipal Advisory Committee Report and mandating that the municipality enter into an interlocal agreement with Miami-Dade County to implement provisions of such charter, as necessary, pertaining to the municipality's relationship with the County, and

WHEREAS, this Board finds and determines that all provisions and requirements of the Dade County Home Rule Charter governing the creation of a new municipality have been complied with, all steps necessary have been lawfully taken, and all applicable provisions of law have been fully complied with and fulfilled,

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

Section 1. The foregoing recitations are hereby incorporated into this ordinance.

Section 2. The creation of a new municipality in Miami-Dade County, Florida, is authorized, and such municipality, known currently as Miami Gardens subject to a name change to be determined upon adopting a charter, is hereby created, subject to the provisions of this ordinance, and the approval of the municipal charter provided for herein, and the boundaries of such new municipality are hereby fixed, established and described as set forth in "Exhibit A" hereto and incorporated herein by reference. A sketch of the boundaries of the proposed municipality is attached to this ordinance as Exhibit "B."

Section 3. All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County in conflict with the procedures for the incorporation of Miami Gardens, are hereby superseded.

Section 4. The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 5. 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 6. 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: April 8, 2003

ORDINANCE NO. 03-88

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AS THE CITY OF DORAL, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Dade County Home Rule Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Miami-Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, [Chapter 20](../level2/PTIIICOOR_CH20MU.docx#PTIIICOOR_CH20MU), Article II of the Code of Miami-Dade County, Florida, provides a procedure for the incorporation of new municipalities in the unincorporated areas of Miami-Dade County, Florida; and

WHEREAS, this Board has received the recommendations of the Planning Advisory Board with regard to the proposed incorporation of the area currently identified as Doral; and

WHEREAS, on October 8, 2002, this Board conducted a public hearing upon the issue of creating such new municipality; and

WHEREAS, this Board by Resolution No. R-1358-02 adopted on November 19, 2002 called a special election for January 28, 2003, for the purpose of submitting to the electors voting and residing within the proposed boundaries of Doral the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on January 28 2003, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, this Board by Resolution No. R-152-03, adopted February 20, 2003, created a charter commission comprised of five electors residing within the boundaries of the proposed municipality; and

WHEREAS, this Board hereby expresses its intent to authorize the creation of the new municipality currently known as Doral conditioned upon the electors residing within the proposed boundaries of such municipality approving a municipal charter that substantially incorporates the provisions of the Doral Area Municipal Advisory Committee Report as modified by the Board pursuant to Resolution R-1358-02 and mandating that the municipality enter into an interlocal agreement with Miami-Dade County to implement provisions of such charter, as necessary, pertaining to the municipality's relationship with the County; and

WHEREAS, this Board finds and determines that all provisions and requirements of the Dade County Home Rule Charter governing the creation of a new municipality have been complied with, all steps necessary have been lawfully taken, and all applicable provisions of law have been fully complied with and fulfilled,

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

Section 1. The foregoing recitations are hereby incorporated into this ordinance.

Section 2. The creation of a new municipality in Miami-Dade County, Florida is authorized, and such municipality, known as the City of Doral, is hereby created, subject to the provisions of this ordinance, and the approval of the municipal charter provided for herein, and the boundaries of such new municipality are hereby fixed, established and described as set forth in "Exhibit A" hereto and incorporated herein by reference. A sketch of the boundaries of the proposed municipality is attached to this ordinance as Exhibit "B."

Section 3. All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County in conflict with the procedures for the incorporation of Doral, are hereby superseded.

Section 4. The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 5. 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 6. 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: April 22, 2003

ORDINANCE NO. 05-121

ORDINANCE AUTHORIZING CREATION OF A NEW MUNICIPALITY IN MIAMI-DADE COUNTY, FLORIDA, CURRENTLY KNOWN AS CUTLER RIDGE, SUBJECT TO THE APPROVAL OF A MUNICIPAL CHARTER BY QUALIFIED ELECTORS; PRESCRIBING THE MUNICIPAL BOUNDARIES; PRESCRIBING POWERS; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, [Section 5.05](../level2/PTICOAMCH_ART5ADORPR.docx#PTICOAMCH_ART5ADORPR_S5.05DEPE) of the Miami-Dade County Home Rule Amendment and Charter provides that the Board of County Commissioners may authorize the creation of new municipalities in the unincorporated areas of Miami-Dade County, Florida, after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of the majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, [Chapter 20](../level2/PTIIICOOR_CH20MU.docx#PTIIICOOR_CH20MU), Article II of the Code of Miami-Dade County, Florida, provides a procedure for the incorporation of new municipalities in the unincorporated areas of Miami-Dade County, Florida; and

WHEREAS, this Board has received the recommendations of the Planning Advisory Board with regard to the proposed incorporation of the area currently identified as Cutler Ridge; and

WHEREAS, on July 13, 2004, this Board conducted a public hearing upon the issue of creating such new municipality; and

WHEREAS, this Board by Resolution R-1318-04 adopted on November 30, 2004 called a special election for January 11, 2005, for the purpose of submitting to the electors voting and residing within the proposed boundaries of Cutler Ridge the question of whether the County Commission shall be authorized to create such new municipality; and

WHEREAS, at the election duly held on January 11, 2005, the creation of such new municipality was approved by a majority of the electors voting and residing within the proposed boundaries; and

WHEREAS, this Board by Resolution R-280-05, adopted March 1, 2005, created a charter commission comprised of electors residing within the boundaries of the proposed municipality; and

WHEREAS, this Board hereby expresses its intent to authorize the creation of the new municipality currently known as Cutler Ridge conditioned upon the electors residing within the proposed boundaries of such municipality approving a municipal charter that substantially incorporates the provisions of the Cutler Ridge Municipal Advisory Committee Report and mandating that the municipality enter into an interlocal agreement with Miami-Dade County to implement provisions of such charter, as necessary, pertaining to the municipality's relationship with the County; and

WHEREAS, this Board finds and determines that all provisions and requirements of the Miami-Dade County Home Rule Amendment and Charter governing the creation of a new municipality have been complied with, all steps necessary have been taken, and all applicable provisions of law have been fully complied with and fulfilled,

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

Section 1. The foregoing recitations are hereby incorporated into this ordinance.

Section 2. The creation of a new municipality in Miami-Dade County, Florida is authorized, and such municipality, currently known as Cutler Ridge, is hereby created, subject to the provisions of this ordinance, and the approval of the municipal charter provided for herein, and the boundaries of such new municipality are hereby fixed, established, and described as set forth in "Exhibit A" attached hereto and incorporated herein by reference. A sketch of the boundaries of the proposed municipality is attached to this ordinance as "Exhibit B".

Section 3. All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify, or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County in conflict with the procedures for the incorporation of Cutler Ridge, are hereby superseded.

Section 4. The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 5. 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 6. 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: June 21, 2005

FOOTNOTE(S):

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**Cross reference—** Procedure for changing municipal boundaries, § 20-1; ordinances changing municipal boundaries, App. B. [(Back)](#BK_8E53CB8F8805E72BD1DA687277FC2A98)

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**Editor's note—** Section 2 of Ord. No. 12-14, adopted March 6, 2012, abolished the City of Islandia and repealed Ord. No. 60-45 from which the city had been created. [(Back)](#BK_9BDBA21A15DADE800B58F63CFE3ED1D6)