



---

To: Honorable Mayor and Village Council

Date: September 30, 2013

From: Eve A. Boutsis, Village Attorney

Re: AIPP Modification  
Ordinance for Second Reading

---

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING DIVISION 30-160, "ART IN PUBLIC PLACES"; MODIFYING SECTION 30-160.7, TO EXEMPT ~~SINGLE-FAMILY HOME RESIDENTIAL~~ SINGLE-FAMILY HOME REPAIRS AND OR CONSTRUCTION FROM THE PROGRAM; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].**

**BACKGROUND:**

During the June 3, 2013, Council meeting, Council Person Patrick Fiore requested modification of the Art In Public Places (AIPP) Ordinance to exempt all single-family residential properties from contribution into the AIPP fund. Thereafter, Council Person Fiore requested that this item be prepared for the July Council meeting. The Village of Palmetto Bay was the first local municipality in Miami-Dade County to implement a more extensive AIPP program which included a dedicated account for the funds collected from private sector development projects including but not limited to single-family home developments valued at over \$750,000.

On July 11, 2013 the item was presented for first reading. During Council deliberation, a motion was passed amending the original request to exempt all residential uses from the AIPP program. Because that motion exceeded the original scope of the proposed ordinance request, the item needed to come back again for first reading to reflect request the adjustment. Reflective of the action taken on July 11, 2013, the proposed modification exempts all residential construction from the AIPP program.

On September 17, 2013, the item was again presented on first reading with the changes requested at the July 11, 2013 hearing. The proposed ordinance was modified removing the changes requested at the prior first reading. As this modification did not exceed the scope of the modified proposed ordinance, the Council proceeded to approve the item and move it forward to the second reading public hearing.

**ANALYSIS:**

The proposed ordinance was reviewed for consistency with the criteria established in Section 30-30.7(b). The Background section provided above shall be considered supplemental information to