CAO 2015-113

To: Antonio Silio

From: Craig E. Leen, City Attorney for the City of Coral Gables

RE: Legal Opinion Regarding Garage Sale Permits

Date: November 19, 2015

Pursuant to section 2-201(e)(1) and (8) of the City Code, as well as section 2-702 of the Zoning Code, it is my opinion and interpretation that the City Manager has the discretionary administrative authority to allow a non-recurring event of this nature (i.e. civic organization raising money for a free dental clinic) during the hours mentioned. *See* CAO 2013-011. I would also note that the proposed event would be complete before the noise ordinance restrictions take full effect (11pm on Sunday through Thursday; midnight on Friday and Saturday).

From: Leen, Craig
To: Paulk, Enga
Subject: FW: Garage sale permits
Date: Wednesday, November 18, 2015 11:25:34 PM

Please publish.

From: Leen, Craig
Sent: Wednesday, November 18, 2015 11:25 PM
To: Silio, Antonio
Cc: Swanson-Rivenbark, Cathy; Ramos, Miriam
Subject: RE: Garage sale permits

Tony,

In response to your inquiry, and pursuant to section 2-201(e)(1) and (8) of the City Code, as well as section 2-702 of the Zoning Code, it is my opinion and interpretation that the City Manager has the discretionary administrative authority to allow a non-recurring event of this nature (i.e. civic organization raising money for a free dental clinic) during the hours mentioned. *See* CAO 2013-011. I would also note that the proposed event would be complete before the noise ordinance restrictions take full effect (11pm on Sunday through Thursday; midnight on Friday and Saturday).

Please let me know if you have any questions.

Best regards,
Craig

Craig E. Leen
City Attorney
City of Coral Gables

From: Leen, Craig
Sent: Wednesday, November 18, 2015 12:06 PM
To: Silio, Antonio
Cc: Swanson-Rivenbark, Cathy; Ramos, Miriam
Subject: Re: Garage sale permits

Yes, as the CM, I recall that she has authority to approve the event on a one-time basis, particularly as it is a civic organization and the money is for a free dental clinic. I will send a short opinion to follow, but wanted to let you know now.

Sent from my iPhone

On Nov 18, 2015, at 11:39 AM, Silio, Antonio <asilio@coralgables.com> wrote:

> Craig: we need your opinion on whether the City Manager has the authority to amend the hours of operation on a garage permits. As the code now reads the hours of operation are from 9 to 5. We need to know if she may amend to different hours say

from noon to 8:00 PM.

A little background the Coral Gables Woman's Club wants to hold a bazar to raise funds for their free Children's Dental Clinic. We thought that a garage sale permit was the best way to handle this fundraising sale. They want to operate outside of our garage sale hours so this is where I need your opinion. As always thank you for your assistance on everything.

Respectfully submitted,

Antonio Silió
Ombudsman
For Residents and Small Business Owners
City of Coral Gables
City Manager's Office
(305) 460-5206

<image001.png>