



To: William Ortiz and Manny Guarch

From: Miriam S. Ramos, Deputy City Attorney for the City of Coral Gables

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

A handwritten signature in blue ink, appearing to be "CL", is written over the name of the City Attorney.

RE: Legal Opinion Regarding Commercial Photography

Date: January 4, 2017

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Our office has been asked to interpret Sec. 5-2105 of the City's Zoning Code, entitled "Commercial Photography." Specifically, the need for the opinion arises out of complaints from residents who live on Country Club Prado who have voiced concerns about the proliferation of wedding and "quince" photographers on Saturdays and Sundays flooding the open green area near S.W. 8th Street, which includes a trellis. Sec. 5-2105(D)(1.) of the Zoning Code states that, still photography shoots that are entirely contained inside a structure can be conducted without a permit." The question is therefore, whether the trellis constitutes a "structure." The section must be construed with its purpose in mind. The purpose of subsection (D)(1.) is to obviate the need for a permit for shoots conducted in a structure because a photo shoot that occurs entirely within a building (i.e. The Biltmore Hotel) does not impact the surrounding neighborhood. On the other hand, construing the section as permitting photo shoots beneath a trellis, when it creates a significant impact on the surrounding neighborhood, defies the intent of the provision. Therefore, for purposes of this section of the Zoning Code, the term "structure" should be defined as a having at least three (3) solid walls surrounding it.

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the City of Coral Gables Code and Sec. 2-702 of the Zoning Code, giving the City Attorney's Office the authority to issue opinions and interpretations on behalf of the City.

**From:** [Leen, Craig](#)  
**To:** [Paulk, Enga](#)  
**Cc:** [Ramos, Miriam](#); [Chen, Brigitte](#)  
**Subject:** Fwd: Opinion re. Commercial photography  
**Date:** Wednesday, January 04, 2017 11:28:51 PM  
**Attachments:** [image001.png](#)

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Please publish.

Sent from my iPhone

Begin forwarded message:

**From:** "Ramos, Miriam" <[mramos@coralgables.com](mailto:mramos@coralgables.com)>  
**Date:** January 4, 2017 at 1:40:28 PM EST  
**To:** "Ortiz, William" <[wortiz@coralgables.com](mailto:wortiz@coralgables.com)>, "Manny Guarch ([mguarch@reyeslawfirmpa.com](mailto:mguarch@reyeslawfirmpa.com))" <[mguarch@reyeslawfirmpa.com](mailto:mguarch@reyeslawfirmpa.com)>  
**Cc:** "Levi, Naomi" <[nlevi@coralgables.com](mailto:nlevi@coralgables.com)>, "Leen, Craig" <[cleen@coralgables.com](mailto:cleen@coralgables.com)>, "Suarez, Cristina" <[csuarez@coralgables.com](mailto:csuarez@coralgables.com)>, "Throckmorton, Stephanie" <[sthrockmorton@coralgables.com](mailto:sthrockmorton@coralgables.com)>  
**Subject:** Opinion re. Commercial photography

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Sincerely,

*Miriam S. Ramos, Esq.*  
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