

GOLDEN BEACH, FLORIDA

Revised 01/09/95

ORDINANCE NO. 399.95

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; AMENDING TOWN CODE SECTION 10.05 TITLED "SEA WALLS & DOCKS"; REGARDING THE MEASUREMENT AND LOCATION OF SEA WALLS IN THE TOWN; PROVIDING FOR CODIFICATION PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Subsection 10.05 of the Town Code is hereby amended to provide as follows:

"SEC 10.05 SEA WALLS & DOCKS

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(B) No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town of Golden Beach which shall extend more than six (6) feet ~~from the outside edge of the sea wall~~ outside the lot property line into an "inside" (width of 100 feet or less) waterway nor more than ten (10) feet ~~from outside the lot property line the outside edge of the sea wall~~ into an "outside" (width greater than 100 feet) waterway ~~from any lot~~ and no dock shall be constructed unless a permit therefore has been obtained from the ~~Town Manager of the~~ Town of Golden Beach and other pertinent jurisdictions.

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(D) Sea Walls:

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(9) No part of any sea wall, including slabs ~~and pilings~~ may extend beyond any lot property line into any waterway in the Town of Golden Beach. The piles and cap beam may encroach into the waterway, if approved by the agency having jurisdiction.

..."

Section 2. Conflict That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 4. Inclusion In The Code. It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Town of Golden Beach, Florida.

Section 5. Effective Date. That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 15th day of NOVEMBER, 1994.

The Motion to adopt the foregoing Ordinance on first reading was offered by VICE MAYOR ROSENTHAL, seconded by COUNCILMAN ADDICOTT and on roll call the following vote ensued:

Mayor Nelson	<u>AYE</u>
Vice Mayor Rosenthal	<u>AYE</u>
Councilman Duffner	<u>AYE</u>
Councilman Mena	<u>AYE</u>
Councilman Addicott	<u>AYE</u>

PASSED AND ADOPTED on second reading this 10th day of JANUARY, 1995.

The Motion to adopt the foregoing Ordinance on second reading was offered by VICE MAYOR ROSENTHAL seconded by COUNCILMAN MENA and on roll call the following vote ensued:

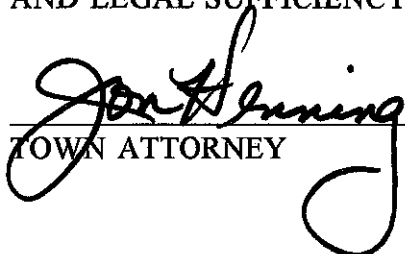
Mayor Nelson	<u>AYE</u>
Vice Mayor Rosenthal	<u>AYE</u>
Councilman Duffner	<u>AYE</u>
Councilman Mena	<u>AYE</u>
Councilman Addicott	<u>AYE</u>


MAYOR BARRY A. NELSON

ATTEST:


TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


TOWN ATTORNEY