

COPIES TO

Date

MAYOR  
COUNCIL  
TOWN CLERK  
TOWN ATTORNEY

403.95

ORDINANCE NO.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN CHARTER TO REQUIRE A VOTE OF THE ELECTORATE PRIOR TO: (i) CHANGING THE MAIN ENTRANCE TO THE WEST SIDE OF GOLDEN BEACH FROM THE STRAND TO ANY OTHER LOCATION; OR (ii) ESTABLISHING OR PERMITTING ANY ENTRANCES INTO THE WEST SIDE OF GOLDEN BEACH IN ADDITION TO THE STRAND WHETHER FOR VEHICLES OR PEDESTRIANS OTHER THAN FOR EMERGENCY VEHICLES, STREET FLOODING OR OTHER EMERGENCIES.

WHEREAS, the Town Council may, by ordinance propose amendments to the Town Charter subject to approval by the electorate at a general or special election called for such purpose; and

WHEREAS, the Town Council wants to amend the Charter to add a provision requiring a majority vote of the electorate prior to:

(i) CHANGING THE MAIN ENTRANCE TO THE WEST SIDE OF GOLDEN BEACH FROM THE STRAND TO ANY OTHER LOCATION; OR (ii) ESTABLISHING OR PERMITTING ANY ENTRANCES INTO THE WEST SIDE OF GOLDEN BEACH IN ADDITION TO THE STRAND WHETHER FOR VEHICLES OR PEDESTRIANS OTHER THAN FOR EMERGENCY VEHICLES, STREET FLOODING OR OTHER EMERGENCIES; and

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

Section 1. That the Charter of the Town of Golden Beach, Florida is hereby amended by adding a new section to Article II which shall read as follows:

403.95

Golden Beach Entrance: Any resolution adopted by the Town Council proposing to either: (i) change the main entrance into the west side of Town from the Strand entrance to any other location or (ii) permit or establish any additional entrances into the town whether vehicular or pedestrian other than for emergency use shall be submitted to a vote of the qualified electors of the Town for approval or disapproval. No such change shall be accomplished unless approved by a majority of those qualified persons voting in such election.

Section 2. Form of Ballot.

Title: Affirmative Vote of  
 Electorate Required to  
 Either: (i) change the  
 main entrance into the  
 west side of Golden Beach  
 or (ii) establish or  
 permit any additional  
 entrances into the west  
 side of Golden Beach.

Shall the Golden Beach Town Charter be amended to add a requirement that neither of the following two changes to the entrance into the west side of Golden Beach would be permitted without first

403.95

obtaining the approval of a majority of the town voters voting in a town wide referendum:

(i) a change of the main entrance into the west side of Town from the Strand entrance to any other location; or

(ii) the permitting or establishing of a any entrance into the west side of Town in addition to the Strand whether vehicular or pedestrian through any gate, wall or other entryway other than for emergency vehicles, street flooding or other emergencies;

[ ] YES, for the amendment

[ ] NO, against the amendment.

Section 3. Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

40395

Section 4. Inclusion In The Charter.

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 Charter of the Town of Golden Beach; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date.

This Ordinance shall become effective upon approval of the electorate.

PASSED AND ADOPTED on first reading this \_\_\_\_ day of \_\_\_\_\_, 1995.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 1995.

BARRY A. NELSON, MAYOR

403.95

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
TOWN ATTORNEY