

GOLDEN BEACH, FLORIDA

ORDINANCE NO. 407.95

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; REGARDING CHAPTER 46, ARTICLE IV OF THE TOWN CODE OF ORDINANCES REGARDING SEAWALLS AND DOCKS; AMENDING SECTIONS 46-76 "BUILDING PERMIT REQUIRED FOR SEAWALLS" AND 46-81 "USE OF CONCRETE SLABS"; PROVIDING FOR CONFLCITS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council desires to enact the following amendment to the town code to clarify its intention and direction as to the design and construction of seawalls in the town;

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

Section 1. That Chapter 46, Article IV of the Town Code is hereby amended to provide as follows:

"CHAPTER 46

WATERWAYS

• • •

ARTICLE IV • SEAWALLS AND DOCKS

• • •

SEC. 46-76 BUILDING PERMIT REQUIRED FOR SEAWALLS

Any person desiring to construct a bulkhead seawall on properties located on North, South and Center Islands and on Golden Beach Drive and Terracina Avenues, and/or on the main waterway or intracoastal waterway and approaches, shall secure a building permit from the Town. The permit fee and cash bond shall be established by resolution and posted in accordance with the approved plan and specifications.

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SEC. 46-81 USE OF CONCRETE SLAB.

~~On all interior waters a concrete slab type of seawall may be permitted, but each~~

~~slab must be~~ All seawalls shall be built of reinforced concrete, with a cap-beam and be supported on concrete piling driven to bedrock and such slabs shall penetrate into the berm at least two feet. No other type of seawall construction, including rip-rap, shall be permitted.

• • •"

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or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.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

Section 4. Inclusion In The Code. That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

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

PASSED AND ADOPTED on first reading this 20th day of JUNE, 1995.

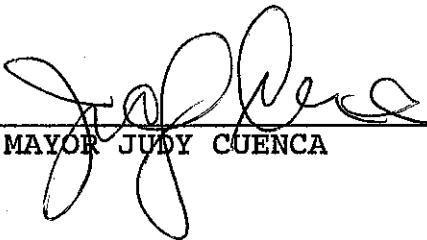
The Motion to adopt the foregoing Ordinance on first reading was offered by VICE MAYOR LOWRANCE, seconded by COUNCILMAN FISTEL and on roll call the following vote ensued:

| | |
|----------------------|--------|
| Mayor Cuenca | AYE |
| Vice Mayor Lowrance | AYE |
| Councilman Addicott | ABSENT |
| Councilman Fistel | AYE |
| Councilman Rosenthal | AYE |

PASSED AND ADOPTED on second reading this 18th day of July, 1995.

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

| | |
|----------------------|--------|
| Mayor Cuenca | AYE |
| Vice Mayor Lowrance | AYE |
| Councilman Addicott | ABSENT |
| Councilman Fistel | AYE |
| Councilman Rosenthal | AYE |



MAYOR JUDY CUENCA

ATTEST:



TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JON M. HENNING
TOWN ATTORNEY

*Cross reference - Code enforcement, § 2-196 et seq.

†Cross references - Code enforcement, § 2-196 et seq.; buildings and building regulations, ch. 50; Development standards, ch. 58; supplementary zoning district regulations, § 66-91 et seq.