

**GOLDEN BEACH, FLORIDA
ORDINANCE NO. 413.95**

Revised 01/04/96

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA PROVIDING FOR CLOSING TO TRAFFIC THE EAST ENDS OF VERONA AVENUE, RAVENNA AVENUE, PALERMO AVENUE, NAVONA AVENUE AND MASSINI AVENUE, WHERE THEY INTERSECT WITH THE WESTERN EDGE OF STATE ROAD A-1-A (OCEAN BOULEVARD) AND AT THE INTERSECTION OF TERRACINA AVENUE AND GOLDEN BEACH DRIVE; PROVIDING FOR BARRIERS AT THOSE INTERSECTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (hereinafter referred to as the "Town") has had an ongoing concern with the safety and security of its residents; and

WHEREAS, on June 24, 1980, the Town adopted Ordinance No. 187 closing the cross streets (east-west roadways) where they intersected with the western edge of State Road A-1-A (Ocean Boulevard), except for the main entrance to the western portion of the Town at The Strand, which is the center east-west roadway in the Town; and

WHEREAS, the Town during the years since the passage of Ordinance 187 has experienced a substantial reduction of crime within the affected area which is attributed at least in significant part to the closing of the cross streets at State Road A-1-A; and

WHEREAS, the proximity of the intersections onto State Road A-1-A (Ocean Boulevard) measured north and south along the highway, if opened to traffic, are too close to each other according to current State Department of Transportation standards; and

WHEREAS, the Town Council wishes to ratify its earlier action in adopting street closures pursuant to Ordinance No. 187 as amended for:

Terracina Avenue,
Verona Avenue,
Ravenna Avenue,
Palermo Avenue,
Navona Avenue and
Massini Avenue;

and

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WHEREAS, the Town has established the entrance feature at The Strand and A-1-A (Ocean Boulevard) as the main entrance to the west side of the Town; and

WHEREAS, the Town possesses the home rule power to close the access to these streets as provided herein;

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

Section 1. That the above stated preambles are hereby adopted.

Section 2. That the eastern end of the following avenues shall be closed by suitable mechanical means or barriers so that there can be no ingress or egress of vehicular, motor vehicular, pedestrian or any other traffic between State Road A-1-A (Ocean Boulevard) and:

Verona Avenue,
Ravenna Avenue,
Palermo Avenue,
Navona Avenue and
Massini Avenue.

Section 3. That Terracina Avenue at Golden Beach Drive shall be closed by suitable mechanical means or barriers so that there can be no ingress or egress of vehicular, motor vehicular, pedestrian or any other traffic between Terracina Avenue and Golden Beach Drive.

Section 4. That Massini Avenue and Terracina Avenue may be opened for emergencies, flood conditions, maintenance purposes, or any other reason for the health, safety or welfare of the Town, only at the specific direction of the Town Council, Town Manager, the Town Police Chief or their designees.

Section 5. No person shall enter into or exit from the eastern end of the streets listed in Section 2 of this ordinance, onto or from State Road A-1-A, or through the barricades referenced in Section 3 of this ordinance regarding Terracina Avenue, except for the times when the barricades at Terracina Avenue or Massini Avenue are open as referenced in Section 4 of this ordinance. Violations of this ordinance are punishable as provided in Sec. 1-16 of the Town Code.

Section 6. 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 7. 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 8. 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 9. Effective Date. That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 21st day of November, 1995.

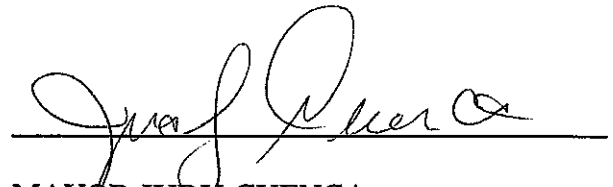
The Motion to adopt the foregoing Ordinance on first reading was offered by Vice Mayor Lowrance, seconded by Councilman Fistel and on roll call the following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Absent
Councilman Fistel	Aye
Councilman Rosenthal	Abstained

PASSED AND ADOPTED on second reading this 9th day of January, 1996.

The Motion to adopt the foregoing Ordinance on second reading was offered by Councilman Addicott, seconded by Vice Mayor Lowrance, and on roll call the following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Aye
Councilman Rosenthal	Absent



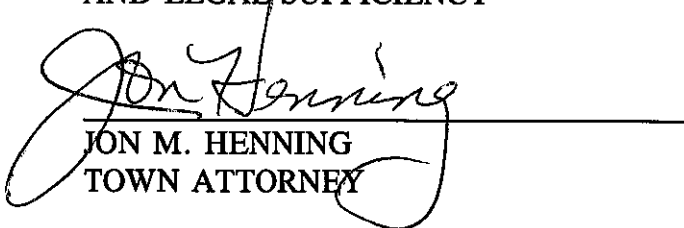
MAYOR JUDY CUENCA

ATTEST:



TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY