

**GOLDEN BEACH, FLORIDA
ORDINANCE NO. 416.96**

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; REGARDING CHAPTER 13 OF THE TOWN CODE OF ORDINANCES IN GENERAL; AMENDING SECTION 13.06, "PLANS, PERMITS, CLEAN-UP BOND, DUTIES OF BUILDING OFFICIAL"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 13 of the Town Code regulates Land Development; and

WHEREAS, the Town Council desires to amend to clarify the regulations in Section 13.06 regarding Plans, Permits, Clean-up Bonds, and Duties of Building Official.

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

Section 1. That Chapter 13, Section 13.06 of the 1989 Town Code is hereby amended to provide as follows:

**"CHAPTER 13
LAND DEVELOPMENT**

• • •

SEC. 13.06 - PLANS, PERMITS, CLEAN-UP BOND, DUTIES
OF BUILDING OFFICIAL

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(C) Prior to issuance of a Building Permit as provided in Section 13.04(D), the person applying for such building permit shall deposit to the Town Clerk of the Town of Golden Beach a cash bond ~~as set forth by resolution~~ conditioned upon the cleaning up and removal of all materials, trash, tools and equipment from the construction or remodeling site; the repair

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and removal of debris or sod and restoration of the surrounding lots, park areas, swales, waterways or streets after a structure has been completed or the permit revoked. ~~Said bond shall be further conditioned upon repairing the adjoining streets damaged during construction.~~ The bond shall not be returned to the principal until the Town Building Official shall first certify that the lots, swales, waterways, lots and building site, and adjacent lots have been cleared of all debris, and returned to the a well maintained condition prior to construction, and the streets are properly repaired to their former condition. In the event the building site or surrounding area shall not be cleared within ten (10) days after construction is completed, or the granting of a certificate of occupancy or revocation or termination of a building permit or certificate of occupancy (or certificate of completion), the Town may cause the removal of the trash, tools, equipment or other materials, the cost of which removal shall be reimbursed to the Town from the said bond. Any cost in excess of the Bond shall be determined after public hearing before the Town Council. Excess costs shall be certified as a lien upon the property, collectible in the same manner as liens for abatement of nuisances. No bond shall be released until after ten (10) days notice to abutting lot owners and lot owners directly across the street from the construction site. The purpose of this bond is to assure the Town of clean, safe conditions upon completion of the work. It is not intended to supplement civil remedies between homeowner and contractor

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who already have a contractual relationship and other civil remedies available to them.

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

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PASSED AND ADOPTED on first reading this day of 19, day of March
1996.


The Motion to adopt the foregoing Ordinance on first reading was offered by Councilman D Rosenthal
seconded by Councilman Addicott and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Fistel	<u>aye</u>
Councilman Addicott	<u>aye</u>
Councilwoman Lowrance	<u>aye</u>
Councilman Rosenthal	<u>aye</u>


PASSED AND ADOPTED on second reading this 30th day of April,
1996.

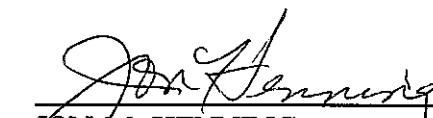
The Motion to adopt the foregoing Ordinance on second reading was offered by
Councilwoman Lowrance seconded by Councilman Rosenthal and on roll call the
following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Fistel	<u>aye</u>
Councilman Addicott	<u>aye</u>
Councilwoman Lowrance	<u>aye</u>
Councilman Rosenthal	<u>aye</u>


MAYOR JUDY CUENCA

ATTEST:


TOWN CLERK PAT MONGIELLO
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


JON M. HENNING
TOWN ATTORNEY