

GOLDEN BEACH, FLORIDA

ORDINANCE NO. 417.96(A)

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; AMENDING SECTIONS 46-84 AND 46-86 OF THE TOWN CODE REGARDING SEAWALLS AND DOCKS; REQUIRING PERMITS FOR CONSTRUCTION OF SEAWALLS AND DOCKS; AMENDING THE HEIGHT OF SEAWALLS AND DOCKS; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 46-84 and 46-86 of the Town Code are hereby amended to provide as follows:

"Sec. 46-84. Permit required for docks and sea walls.

No dock or sea wall shall be constructed unless a permit therefor has been obtained from the Town and other pertinent jurisdictions.

Sec. 46-85. General specifications for docks.

No dock shall be permitted to be constructed, repaired, or reconstructed within the limits of the Town which shall extend more than six feet outside the lot property line into an inside (width of 100 feet or less) waterway nor more than ten feet outside the lot property line into an outside (width greater than 100 feet) waterway.

Sec. 46-86. Height of sea walls and docks and extension of deck of dock.

No sea wall and no deck of any dock shall be higher ~~than 18 inches over the existing height of the sea wall or~~ elevation, plus 5 feet National Geodetic Vertical Datum (N.G.V.D.) and the dock deck shall not extend more than six feet behind the sea wall and no cover shall be permitted to be erected in connection with any dock. The minimum elevation of the top of any sea wall shall be plus 4 feet N.G.V.D."

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or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.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 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 re-lettered 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 21st day of May,
1996.

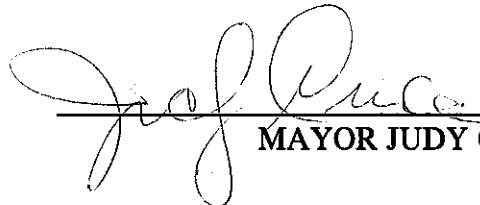
The Motion to adopt the foregoing Ordinance on first reading was offered by
Councilmember Rosenthal, seconded by Councilmember Lowrance and on roll call the
following vote ensued:

Mayor Cuenca	<u>AYE</u>
Vice Mayor Lowrance	<u>AYE</u>
Councilman Addicott	<u>AYE</u>
Councilman Fistel	<u>AYE</u>
Councilman Rosenthal	<u>AYE</u>

PASSED AND ADOPTED on second reading this 18th day of June,
1996.

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

Mayor Cuenca	<u>AYE</u>
Vice Mayor Lowrance	<u>ABSENT</u>
Councilman Addicott	<u>ABSENT</u>
Councilman Fistel	<u>AYE</u>
Councilman Rosenthal	<u>AYE</u>



MAYOR JUDY CUENCA

ATTEST:



TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY