

GOLDEN BEACH, FLORIDA  
ORDINANCE NO. 418.96

Amended 05/21/96

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; AMENDING SECTION 66-102 OF THE TOWN CODE REGARDING PROPERTY ELEVATIONS; AMENDING AND CLARIFYING THE MEASUREMENT OF MINIMUM ELEVATIONS AND SLOPE OF LOTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING 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 I.** That SEC. 66-102 of the Town Code is hereby amended to provide as follows:

"Sec. 66-102. Minimum lot and swale elevations; grade.

- (a) All property Owners are required to maintain a minimum lot elevation of four feet above the National Geodetic Vertical Datum Reference Point and to meet the Swale Area height of their lot Frontage by pitching their lots from the four-foot elevation to the swale line elevation in order to promote water drainage, unless the lot is located in an area where the Street is less than four feet in elevation, in which event the lot shall be maintained at a minimum elevation of three feet, three inches, above the National Geodetic Vertical Datum Reference Point, or six inches above the crown of the road, whichever is greater.
- (b) All property Owners are required to maintain a minimum elevation of Swale Areas adjoining their property at one foot below the elevation of their lot.
- (c) Driveways shall be maintained at an elevation necessary to eliminate any standing water.
- (d) The finished grade of any lot in the Town and of any patio, walkway or similar improvement may not be increased over two feet above the Street grade crown elevation in any Setback area, except lots fronting the west side of State Road A-1-A shall have a minimum elevation of 4 feet and a maximum elevation of 6 feet. All yards shall be sloped so as to dispose of stormwater within the lot, drain to the Street or a drainage gutter or seawall, and shall not drain onto adjacent property.

(e) Any lot Owner cited by the Code Enforcement Officer for violation of this chapter shall correct the violation within 30 days and provide the Code Enforcement Board a surveyors certificate, certifying that his property is in compliance with this chapter."

**Section 1. 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or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.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 2. 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 3. 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 4. Effective Date.** That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this day of 21st, day of May 1996.

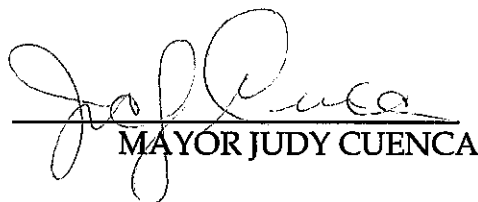
The Motion to adopt the foregoing Ordinance on first reading was offered by Councilmember Rosenthal and on roll call the following vote ensued:

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>


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

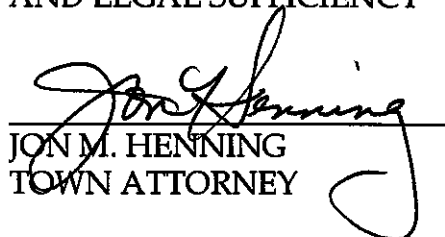
The Motion to adopt the foregoing Ordinance on second reading was offered by Councilmember Rosenthal, seconded by Vice Mayor Fistel and on roll call the following vote ensued:

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