

ORDINANCE NO. 12.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION AND USE OF BUILDINGS: TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED AND THE DENSITY OF POPULATION, AND FOR SAID PURPOSES TO DIVIDE THE TOWN OF GOLDEN BEACH INTO ZONES, AND FOR EACH SAID ZONE TO IMPOSE REGULATIONS AND RESTRICTIONS UNDER WHICH BUILDINGS MAY BE PERMITTED TO BE ERECTED, RECONSTRUCTED OR USED, AND TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE, AND ALSO PROVIDE FOR ITS ENFORCEMENT.

WHEREAS, by the provisions of Chapter 14066, Laws of Florida, Acts of 1929, approved May 23, 1929, authority is conferred upon the Town of Golden Beach to designate and establish restricted residence districts within the Town, and to make such rules and regulations for the erection, reconstruction, altering and repairing of buildings of all kinds within said districts, as well as the use and occupancy of said buildings, and

WHEREAS, the Town Council of the Town of Golden Beach deems it necessary in order to preserve the rights of property holders within the Town, to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to preserve the view of property owners with respect to building lines, and to generally preserve the character and quality of the town and aid in the growth thereof into a model community; to make and promulgate such regulations with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular types of building construction, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout said town in accordance with a comprehensive plan and the building restrictions which run with a greater portion of the land in each district.

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

Section 1. The Town of Golden Beach is hereby divided into three zone districts numbered "One", "Two" and "Three" each respectively, and said districts shall comprehend the following blocks located within the limits of the Town:

Zone One (1): Blocks A, B, C and D.
Zone Two (2): Blocks 1, 2, 3, 4, 5 and 6.
Zone Three (3): Blocks E, F, G, H, J, K, L and M.

Sec. 2. In Zone One (1) no portion of any building shall be placed nearer than a point fifty (50) feet distant in a westerly direction from the waters of the Atlantic Ocean at mean high tide, nor nearer than twenty (20) feet to the east side of Ocean Boulevard, and no portion of any building shall be closer than three feet from the side line of any lot, or combination of lots, and all residences shall face on Ocean Boulevard.

Sec. 3. In Zone One (1) no building shall hereafter be erected, constructed, reconstructed or structurally altered, which is designed, arranged or intended to be occupied or used for any purpose other than a single family residence, together with its accessory buildings, and in accord with the area provisions as defined in Section 1 of this ordinance.

Sec. 4. In Zone One (1) no residence shall hereafter be erected or constructed which shall cost less than Fifteen thousand Dollars (\$15,000.00) and all of said amount shall be actually expended upon the construction or erection of said residence and accessory buildings and not for fees in connection therewith.

Sec. 5. In Zones Two (2) and Three (3), no portion of any building shall be placed nearer than a point twenty (20) feet from the front or street line of said lots, and no portion of any building shall be placed nearer than three feet from the rear line of said lots, and no portion of any building shall be placed nearer than a point three (3) feet from the side line of any lot or combination of lots, and all residences shall face on the front or street line of said lots.

Sec. 6. In Zones Two (2) and Three (3), no building shall hereafter be erected, constructed, reconstructed or structurally altered, which is designed, arranged or intended to be occupied or used for any purpose other than a single family residence, together with its accessory buildings and in accord with the area provisions as defined in Section 5 of this ordinance.

Sec. 7. In Zone Two (2) no residence shall hereafter be erected or constructed which shall cost less than Eight Thousand Dollars (\$8,000.00), and in Zone Three (3) no residence shall hereafter be erected or constructed which shall cost less than Ten Thousand Dollars (\$10,000.00), and all of said amounts shall be actually expended upon the construction or erection of said residence and accessory buildings, and not for fees in connection therewith.

Sec. 8. No building shall be erected within the corporate limits of the Town of Golden Beach, except upon permit issued as hereinbefore provided by ordinance, and no permit for any building shall be issued if the same shall violate any of the provisions of this ordinance.

Sec. 9. Any building or structure erected, altered, repaired or used in violation of any of the provisions of this ordinance is hereby declared to be a nuisance, and it is hereby made the duty of the Mayor to prosecute all persons violating any of the provisions of this ordinance. In all cases where the punishment by fine or imprisonment fails to abate the nuisance, the Mayor shall cause to have brought in the Circuit Court in and for Dade County, Florida, an action for the abatement thereof. All such prosecutions in the Circuit Court shall be in the name of the Town of Golden Beach, Florida.

Sec. 10. Any person, firm or corporation or partnership violating any of the provisions of this ordinance, or any one provision hereof, shall be guilty of a misdemeanor, and shall be punished upon conviction thereof, by a fine of not less than One Dollar (\$1.00), nor more than Two Hundred Dollars (\$200.00) for each offense, or by imprisonment not exceeding sixty (60) days, in the discretion of the Judge of the Municipal Court.

Sec. 11. In the event any section, sub-section, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect any other sections, sub-sections, sentences, clauses or phrases of this ordinance but all the rest hereof shall be in full force and effect just as though the section, sub-section, sentence, clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part hereof.

Sec. 12. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Town of Golden Beach, Florida, affecting the subject matter herein, and shall not operate to repeal or affect any such ordinance or ordinances except insofar as the provisions of such ordinance or ordinances are inconsistent or in conflict with the provisions of this ordinance, in which instance or instances those provisions shall be and they are hereby repealed.

Sec. 13. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of the peace, health and safety, and property of the Town of Golden Beach, and shall become effective immediately after its passage and approval and posting in three public places as provided by law.

PASSED AND ADOPTED this 7th day of January, A. D. 1935.

E. N. Allen
President of Town Council.

STATE OF FLORIDA)
COUNTY OF DADE)
TOWN OF GOLDEN BEACH)

I, Edna S. Jamieson, Town Clerk of the
Town of Golden Beach, Florida, do hereby certify that
I posted for a period of thirty days, the above and fore-
going Ordinance No. 12, in three conspicuous places
in the Town of Golden Beach, one of which places was at
the door of the building used for town hall purposes.

Dated this 14 day of January, A. D. 1935.

E. S. Jamieson
Town Clerk