

ORDINANCE NO. 19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, AMENDING AND SUPPLEMENTING ORDINANCE NO. 12 AND PROVIDING FOR THE SET-BACK OF BUILDINGS IN ZONE ONE (1) AND THE HEIGHT OF WALLS IN ZONES ONE (1), TWO (2) AND THREE (3).

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

Section 1. In Zone One (1) no portion of any building shall be placed nearer than a point fifty (50) feet distant westerly from the beach ridge, which point is approximately one hundred thirty (130) feet from 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 (3) feet from the side line of any lot or combination of lots, and all residences shall face on Ocean Boulevard.

Sec. 2. In Zone One (1) no wall or fence between estates or lots shall hereafter be erected, constructed, reconstructed or structurally altered to exceed ten (10) feet in height, and in Zones Two (2) and Three (3) no wall or fence between estates or lots shall hereafter be erected, constructed, reconstructed or structurally altered to exceed six (6) feet in height.

Sec. 3. No wall or fence shall be erected, constructed reconstructed or repaired within the corporate limits of the Town of Golden Beach except upon permit issued, as provided in Ordinance No. 12, and no permit for the same shall be issued if the same shall violate any of the provisions of this Ordinance.

Sec. 4. Any wall or fence 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. 5. 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. 6. 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. 7. 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. 8. 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 20th day of April, A. D. 1937.

W. F. Starn.
President of Town Council

Attest: