

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 526.07

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66 "ZONING", ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 66-204 "PARKING AWNINGS" TO PROHIBIT PARKING AWNINGS WITHIN THE TOWN'S SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDING FOR CONTINUATION OF CERTAIN NON-CONFORMING PARKING AWNINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined that parking awnings located within the Single Family Residential District of the Town have become unsightly due to age and/or lack of maintenance thereby detracting from the character of the Town; and

WHEREAS, the Town Commission desires to preserve the nature and character of the Town by disallowing parking awnings in the Single Family Residential District of the Town; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is in the best interest of the citizens of the Town of Golden Beach; and

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

Section 1. Recitals Adopted. That each of the above recitals is hereby adopted and confirmed.

Section 2. Amendment of Town Code. That the Code of Ordinances of the Town of Golden Beach, Florida, Section 66-204 entitled "Parking Awnings" is hereby amended to read as follows¹:

Sec. 66-204. Parking Awnings.

~~Parking awnings shall be permitted only if attached to the garage above the opening and parallel with the entrance driveway.~~

(a) **Prohibition.** Parking awnings shall not be permitted within the Single Family Residential District of the Town.

(b) **Continuation of Certain Non-Conforming Parking Awnings.**

Any parking awning, lawfully existing prior to this Ordinance's effective date, may continue to be used and maintained so long as it is watertight and structurally sound and may be replaced only if it is lost or substantially damaged by casualty and was installed after August 1, 2002.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. Inclusion in the Code. That the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Golden Beach, Florida; that the sections of this Ordinance may be renumbered or re-lettered to

¹ / Proposed additions to existing Town Code text are indicated by underline; proposed deletions from existing Town Code text are indicated by ~~strikethrough~~.

accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Conflict. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Effective Date. That this Ordinance shall become effective immediately upon adoption on second reading.


Sponsored by the Administration

PASSED AND ADOPTED on first reading this 21st day of August, 2007.

PASSED AND ADOPTED on second reading this 18th day of September, 2007.

The Motion to adopt the foregoing Ordinance was offered by Council Member Judy Lusskin, seconded by Council Member Amy Rojas and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Ken Bernstein	<u>Aye</u>
Councilmember Ben Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Amy Rojas	<u>Aye</u>



MAYOR GLENN SINGER

ATTEST:

Elizabeth Sewell
ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


TOWN ATTORNEY