

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 565.15

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 26, "SOLID WASTE," ARTICLE II, SECTION 26-35 "ILLEGAL DISPOSAL OF GARBAGE," BY ESTABLISHING AND SETTING PENALTIES FOR VIOLATIONS PURSUANT TO RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach ("Town Council") finds it periodically necessary to amend its Code of Ordinances ("Code") in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, the Town Council desires to amend the Code in order to establish by Council resolution the amount for penalties for violations of regulations governing the disposal of construction debris; and

WHEREAS, after careful consideration of this matter, the Town Council has determined that it is in the best interests of the Town to approve certain text amendments to the Town's Code.

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

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Amendment. Chapter 26 of the Town Code is amended by making modifications to Section 26-35(a), Construction Debris, in the following particulars:

CHAPTER 26. SOLID WASTE.

ARTICLE II. COLLECTION AND DISPOSAL.

* * *

Sec. 26-35. – Illegal disposal of Garbage.

(a) Construction debris.

* * *

(4) Violators of this subsection shall receive one warning per site, then violations shall be punishable by a civil penalty of \$150.00 for the first violation, and \$250.00 for each subsequent violation by the same individual in any five year period, except failure to cover a dumpster (subsection (a)(2) above) which shall be punishable by a civil penalty in an amount established by resolution of the Town Council. ~~of \$25.00 for each offense.~~ If the Town has a Hurricane Warning then the penalties shall double. Civil penalties shall be paid at Town Hall within ten days of the citation, after which failure to pay shall be a violation of the Town Code.

* * *

Section 5. Implementation. The Town Clerk and Town Manager are hereby authorized to take any and all action necessary to implement this Ordinance and make it part of the Town Code including re-numbering or re-lettering the code references and ordering.

Section 6. Severability. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 7. Conflicts. To the extent that this Ordinance conflicts wholly or partially with any existing provision in the Town Code, the terms of this Ordinance shall prevail.

Section 8. Effective Date. This Ordinance shall be effective immediately upon adoption.

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The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Councilmember Bernstein, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED on first reading this 25th day of August, 2015.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Councilmember Einstein, and on roll the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Amy Isackson-Rojas	<u>Absent</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED on second reading this 24th day of September, 2015.




MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. GELPMAN
TOWN ATTORNEY