

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 566.15

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 30, "STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES" OF THE TOWN'S CODE OF ORDINANCES TO CREATE A NEW ARTICLE III, ENTITLED "SECURED ACCESS;" PROVIDING FOR REQUIREMENTS GOVERNING VEHICULAR ACCESS TO THE TOWN; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (the "Town") has historically and continuously maintained and operated a controlled access system at the principal access to the Town along Federal Highway U.S. 1 ("Collins Ave.") at the "Strand;" and

WHEREAS, the controlled access system includes separate and segregated drive lanes entering the Town, one lane expressly designated for Town residents (the "Resident Lane") and one lane for use by visitors and all other vehicles; and

WHEREAS, access through the Resident Lane is controlled by a gate/arm activated (opened) by automated vehicle identification transponders attached to each resident's vehicle (the "Transponders"); and

WHEREAS, because of limited stacking/queuing space, the use of the Resident Lane and the Transponders by the residents is critical to safe and efficient traffic flow; and

WHEREAS, the Town Council wishes to ensure the proper and safe usage of the controlled access system by adopting mandatory regulations for all vehicle operators.

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 30 of the Town Code is amended by creating Article III, "Secured Access," in the following particulars:

CHAPTER 30. STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES.

* * *

ARTICLE III. SECURED ACCESS.

Sec. 30-1. – Segregated lanes.

- a. All resident drivers shall be obligated to exclusively use the Resident Lane when accessing the Town.
- b. All resident drivers shall be obligated to use a Transponder for access and shall secure a Transponder from the Town for each vehicle operated within the Town. Each Transponder shall be maintained in good operating condition at all times by the resident driver.
- c. Failure by any resident driver to use the Resident Lane shall be a separate violation of this Section upon each occurrence and shall subject the driver to fines in an amount imposed by resolution of the Town Council.

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.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Vice Mayor Rojas, 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 Bernstein, 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>Nay</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. HELPMAN
TOWN ATTORNEY