

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 532.08

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 66-6 "GENERAL CONSTRUCTION REQUIREMENTS" RELATING TO THE TYPE OF SCREENING FOR TEMPORARY CONSTRUCTION FENCES; PROVIDING FOR AN AMORTIZATION PERIOD FOR NONCONFORMING TEMPORARY FENCES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, State Road A1A is the main thoroughfare within the Town of Golden Beach (the "Town"); and

WHEREAS, in order to preserve property values and keep this thoroughfare aesthetically pleasing, the Town Council finds it necessary to regulate the screening of temporary fences along this thoroughfare within the Zone One District; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is in the best interest and welfare of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS¹:

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

Section 2. Section 66-6 of the Town Code of Ordinances Amended. That Section 66-6 "General Construction requirements" of the Town Code of Ordinances is hereby amended to read as follows:

Sec. 66-6. General Construction requirements.

(a) All exterior coverings of all roofs in the Town shall be either clay, cement, or ceramic tile.

(b) All Construction sites shall be maintained free of loose debris and scrap materials. No open pits, holes, or trenches shall be permitted on the Construction site except during actual Construction activity or when a guard is present.

(c) All Construction sites shall be enclosed with a temporary six-foot fence which shall be installed prior to commencement of any Construction activity or material deliveries. Except within Zone One or as otherwise approved by the Town Building Official, the fence shall be chain link, covered with green or black nylon material screening the Construction from view, and installed on the front, side and rear lot lines. The fence shall not be placed so as to create a public safety hazard and the fence gate shall be locked during nonworking hours. Within the Zone One, the temporary fence shall be a wood fence that is covered with a nylon screen material containing a mural design, which screens shall be provided by the Town at a reasonable cost to the property owner. Existing nonconforming temporary fences shall be brought into compliance with the provisions of this section (c) by December 31, 2008.

Section 3. Severability. That the provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision

¹ / Proposed additions to existing Town Code text are indicated by underline; proposed deletions from existing Town Code text are indicated by ~~strikethrough~~. Changes made between 1st and 2nd reading are indicated by highlighted text.

shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. 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 accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. 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 6. Effective Date. That this Ordinance shall become effective immediately upon adoption on second reading.

Sponsored by Town Administration.

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

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

PASSED AND ADOPTED on first reading this 19th day of February, 2008.

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>
--------------------	------------