

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 543.11

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING SECTION 2-79 "JURISDICTION AND DUTIES" OF CHAPTER 2 "ADMINISTRATION" OF THE TOWN OF GOLDEN BEACH CODE OF ORDINANCES, BY REMOVING THE REQUIREMENT THAT THE BUILDING REGULATION ADVISORY BOARD REVIEW AND RECOMMEND TO THE TOWN COUNCIL THE APPROVAL OR DENIAL OF APPLICATIONS FOR PLATS OR WAIVERS OF PLATS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (the "Town") Building Regulation Advisory Board (the "Board") currently reviews and recommends to the Town Council the approval or denial of applications for plats or waivers of plats; and

WHEREAS, the Town Council desires to modify the jurisdiction and duty of the Board by removing the requirement to review such applications; and;

WHEREAS, the Town Council finds this amendment to be in the best interest and welfare of the residents of the Town.

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

Section 1. Recitals Adopted. That the recitals set forth above are hereby adopted and confirmed.

Section 2. Amendment. That Section 2-79 "Jurisdiction and Duties" of Chapter 2 "Administration" of the Town of Golden Beach Code of Ordinances is hereby amended to read as follows:

DIVISON 3. BUILDING REGULATION ADVISORY BOARD

Sec. 2-79. Jurisdiction and duties.

Action of the Board shall be in the form of a written recommendation of advice to the Town Council. The following matters shall be within the advisory jurisdiction of the Board:

(1) Review plans for all new residences, exterior alterations of existing structures and any additional structures on the premises of existing residences.

(2) Recommend to the Town Council the granting or denial of requests for variance from the literal enforcement of the zoning regulations pursuant to section 66-41 of this Code.

(3) Recommend to the Town Council interpretation regarding apparent conflicts or inconsistencies in the zoning provisions in chapter 66 of this Code.

~~(4) Review and recommend to the Town Council the approval or denial of applications for plats or waivers of plats.~~

~~(5)~~ (4) Other duties expressly assigned to the Board by the Town Council by resolution.

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 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. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. Inclusion in the Code. That it is the intention of the Town Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

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 Lusskin, seconded by Councilmember Isackson-Rojas, and on roll call the following vote ensued:

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

PASSED on first reading this 28th day of June, 2011.

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

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

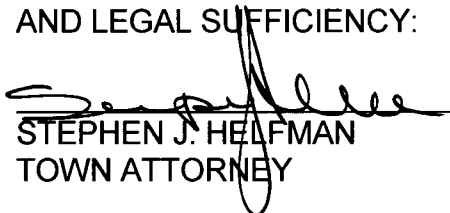
PASSED AND ADOPTED on second reading this 15th day of November, 2011.

ATTEST:


LISSETTE PEREZ
INTERIM TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY