

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 546.11

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA AMENDING ARTICLE IV "SEAWALLS AND DOCKS" OF CHAPTER 46 "WATERWAYS" BY REVISING SECTION 46-82. "USE OF CONCRETE SLAB" TO INCLUDE CERTAIN OTHER MATERIALS AND METHODS OF CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach (the "Town") desires to amend Article IV "Seawalls and Docks" of Chapter 46 "Waterways" by revising Section 46-82 "Use of Concrete Slab", to include alternate materials and methods of construction for repairs to seawalls; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is protective of the health, safety, and welfare of the Town and all persons residing therein; and

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 46-82 "Use of Concrete Slab" of Chapter 46 "Waterways" under Article IV "Seawalls and Docks" of the Town of Golden Beach Code of Ordinances is hereby amended to read as follows:

ARTICLE IV. SEAWALLS AND DOCKS

Sec. 46-82. Use of Concrete Slab.

All seawalls shall be built of reinforced concrete, with a cap-beam and be supported on pilings. Repairs to existing seawalls may incorporate other methods of construction and materials such as precast panels, sheet metal pilings and batter piles so long as they are consistent with the original design and appearance of the existing seawall and the majority of seawalls existing within the Town. No other type of seawall construction, including rip-rap, shall be permitted.

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. 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 5. 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 Isackson-Rojas, 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>Aye</u>

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

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Councilmember Einstein, 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.



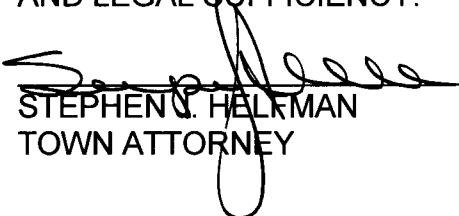
MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELKMAN
TOWN ATTORNEY