

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 550.11

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, REPEALING ORDINANCE NO. 533.08, WHICH ADOPTED ARTICLE IV “DANGEROUS INTERSECTION SAFETY” OF CHAPTER 38 “TRAFFIC AND VEHICLES;” PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 26, 2008, the Town of Golden Beach (the “Town”) Town Council adopted Ordinance No. 533.08 allowing the use of an unmanned camera/monitoring system to promote compliance with red light signal directives within the Town; and

WHEREAS, given recent legal challenges and legislation adopted by the Florida Legislature, the Town Council desires to repeal Ordinance No. 533.08, which adopted Article IV “Dangerous Intersection Safety” of Chapter 38 “Traffic and Vehicles,” and

WHEREAS, the Town Council finds this Ordinance 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. Repeal of Ordinance No. 533.08. That Ordinance No. 533.08, which adopted Article IV “Dangerous Intersection Safety” of Chapter 38 “Traffic and Vehicles” of the Town of Golden Beach Code of Ordinances is hereby repealed in its entirety.

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. That 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ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.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 Vice Mayor Bernstein, 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>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. HELFMAN
TOWN ATTORNEY