

**TOWN OF GOLDEN BEACH**

**ORDINANCE NO. 591.19**

**AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT THE A MINIMUM SEAWALL HEIGHT OF 3.425 NAVD-88 OR AT MAXIMUM SEAWALL HEIGHT OF 4.425 NAVD-88; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

**WHEREAS**, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to update various requirements for construction of a dock; and

**WHEREAS**, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

**WHEREAS**, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA:**

**Section 1. Recitals Adopted.** That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

**Section 2. Code Amended.** That the Town of Golden Beach Code is hereby amended to modify Chapter 46 - Waterways of the Code of Ordinances as more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

**Section 3. Code Amended.** That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

**Section 4. Codification.** That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Repealer.** That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 6. Effective Date.** That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

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

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Kenneth Bernstein	<u>Aye</u>

Councilmember Judy Lusskin            Aye  
Councilmember Jaime Mendal           Absent  
Councilmember Bernard Einstein       Aye

**PASSED AND ADOPTED** on first reading this 19<sup>th</sup> day of November, 2019.

The Motion to adopt the foregoing Ordinance was offered by

Councilmember Lusskin, seconded by Councilmember Mendal, and on roll call the following vote ensued:

Mayor Glenn Singer                      Aye  
Vice Mayor Kenneth Bernstein         Aye  
Councilmember Judy Lusskin             Aye  
Councilmember Jaime Mendal            Aye  
Councilmember Bernard Einstein        Aye

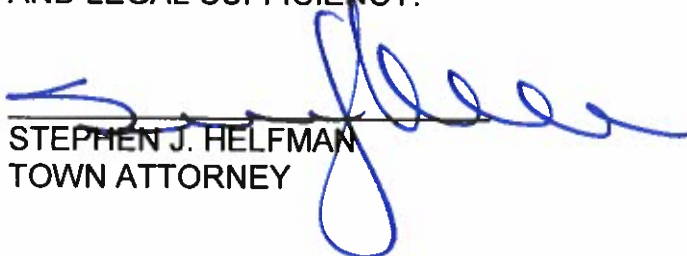
**PASSED AND ADOPTED** on second reading this 28<sup>th</sup> day of January,  
2020.

ATTEST:

  
\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

  
\_\_\_\_\_  
MAYOR GLENN SINGER

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

**EXHIBIT "A"**

**The Town of Golden Beach, Florida Code of Ordinances  
is hereby amended as follows:**

**CHAPTER 46 WATERWAYS**

**ARTICLE IV. SEAWALLS AND DOCKS**

**Sec. 46-85. Height of seawalls and docks and extensions of deck of dock.**

No seawall and no deck of any dock shall exceed an elevation of ~~3.425~~ 4.425 feet above the North American Vertical Datum of 1988 (NAVD-88) No cover shall be permitted to be erected in connection with any dock. The minimum elevation of the top of any seawall shall be 3.425 feet above NAVD-88 and the maximum elevation shall be 4.425 feet NAVD-88. For general historical information only, the May 8, 2018 amendment to this section, converted measurements from N.G.V.D. to NAVD resulting in revised seawall heights from a minimum of four feet N.G.V.D. to a minimum of five feet N.G.V.D. and from a maximum of five feet N.G.V.D. to a maximum of six feet N.G.V.D.