

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 590.19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES TO REVISE CHAPTER 14, "ENVIRONMENT," BY AMENDING SECTION 14-86, "LAWN MOWERS AND POWER TOOLS", PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

3 **WHEREAS**, the Town Council has studied the current Code provisions of the Town
4 and found that certain modifications are necessary and desirable to further regulate the use
5 of lawn mowers and power tools; and

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

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

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

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

15 **Section 2. Code Amended.** That the Town of Golden Beach Code is hereby
16 amended to modify Article III. "Noises", Division 1. "Generally" of Article II "Nuisances," of
17 Chapter 14, "Environment" as follows:¹

18 **CHAPTER 14 Environment**

19 * * *

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

20 **ARTICLE III. NOISES**

21 * * *

22 **DIVISION 1. GENERALLY**

23

24 * * *

25 **Sec. 14-86. – Lawn mowers and power tools.**

26

27

28

29

30

31

32

33

34

It shall be unlawful for any person to operate any power lawn mower or power tools for landscaping purposes ~~outside an enclosed building~~ between the hours of 8:00 p.m. and 8:00 a.m. the following day except when the following day is Saturday, Sunday or a holiday, then the restricted hours shall be extended to 10:00 a.m.

32 * * *

33

34

35

36

37

38

39

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.

38

39

40

41

42

43

44

45

46

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.

43

44

45

46

47

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.

46

47

48

49

50

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 Councilmember Einstein, and on roll call the following vote ensued:

51 Mayor Glenn Singer Aye
52 Vice-Mayor Kenneth Bernstein Aye
53 Councilmember Judy Lusskin Aye
54 Councilmember Jaime Mendal Aye
55 Councilmember Bernard Einstein Aye

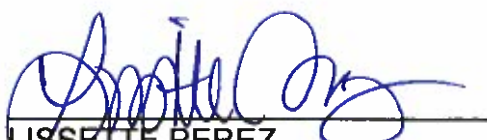
56
57 **PASSED AND ADOPTED** on first reading this 17th day of September,
58 2019.

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

62 Mayor Glenn Singer Aye
63 Vice-Mayor Kenneth Bernstein Aye
64 Councilmember Judy Lusskin Aye
65 Councilmember Jaime Mendal Absent
66 Councilmember Bernard Einstein Aye

67
68 **PASSED AND ADOPTED** on second reading this 11th day of November,
69 2019.

70
71 ATTEST:

72
73
74
75
76 
77 LISSETTE PEREZ
78 TOWN CLERK


MAYOR GLENN SINGER

79
80 APPROVED AS TO FORM
81 AND LEGAL SUFFICIENCY:

82
83
84 
85 STEPHEN J. HELFMAN
86 TOWN ATTORNEY