

ORDINANCE NO. 129

EMERGENCY ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES, APPENDEX A-SUBDIVISION REGULATIONS; REQUIRING EVIDENCE OF APPROVAL FOR MINOR SUBDIVISIONS; PROHIBITING FURTHER MINOR SUBDIVISION OF A MINOR SUBDIVISION; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR INCORPORATION IN THE TOWN CODE; PROVIDING FOR REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; DECLARING A GRAVE EMERGENCY TO EXIST; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, Florida Statutes, and the Town Charter of the Town of Sewall's Point, styled chapter 57-1865, Laws of Florida, the Town of Sewall's Point has the authority to amend its Ordinances, and

WHEREAS, the Town Commission of the Town of Sewall's Point has the authority pursuant to Chapter 166 of the Florida Statutes and the Town of Sewall's Point Code of Ordinances to determine and declare the existance of an emergency and to immediately adopt and pass an ordinance concerning such emergency, and

WHEREAS, the Town Commission of the Town of Sewall's Point has determined upon investigation and consultation that it is necessary and proper to amend the Town of Sewall's Point Code of Ordinances, Appendix A-Subdivision Regulations concerning Minor Subdivisions, in order to preserve and promote the health, safety, welfare of the residents of the Town of Sewall's Point and aesthetic appeal of the Town of Sewall's Point, and

WHEREAS, the Town Commission of the Town of Sewall's Point has determined that a close crowding together of the residences of the citizens of the Town of Sewall's Point can greatly affect the fire prevention and safety of those residences, and

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BOLDFACE indicates additions; UNDERLINE indicates deletions

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WHEREAS, the higher density caused by crowding together of residences would contribute to rather than relieve water shortage emergencies existant and contribute to the impact of saline water intrusion as well as reducing the ground water supplying the Town of Sewall's Point.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Sewall's Point that the Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended by adding a section to Appendix A - Subdivision Regulations, Section B: Minor Subdivisions, to be numbered Section 5, which said section reads as follows:

Subdivision of Minor Subdivisions

Once a tract of land or lot has been approved for and received a minor subdivision, the said tract or lot, or any portion thereof, shall not be further subdivided by minor subdivision.

SEPARATION.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held

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to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

REPEAL.

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

INCORPORATION IN TOWN CODE.

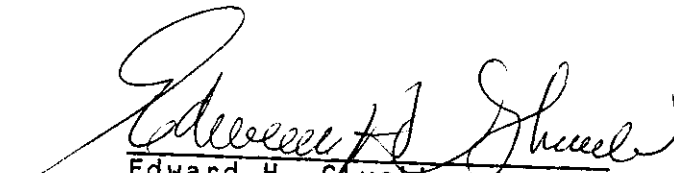
Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

GRAVE EMERGENCY AND EFFECTIVE DATE.

This Ordinance is hereby declared to be an emergency measure upon the grounds of grave emergency and urgent need for the preservation of public safety and welfare and shall take effect immediately upon its passage and adoption.

Passed and adopted by the Town Commission of the Town of Sewall's Point this 12th day of August, 1981.

ATTEST:


Edward H. Gluckler,
Mayor-Commissioner

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Joan Beckley
Joan Beckley,
Town Clerk

Approved as to form
and correctness:

James E. Knight
James E. Knight
Town Attorney

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Vincent P. Miraglia,
Commissioner

William E. Barton III
William E. Barton, III,
Commissioner

Dana deWindt
Dana deWindt,
Commissioner

Gilbert Strubell
Gilbert Strubell,
Commissioner

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