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ORDINANCE NO. 131

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX B-ZONING; AMENDING CERTAIN PORTIONS OF THE PARKING ORDINANCE BY CHANGING THE WORDS "STANDARD PASSENGER VEHICLE" TO "STANDARD PASSENGER AUTOMOBILE"; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, 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 enact zoning ordinances,

WHEREAS, the Town Commission has determined that it is necessary and proper to amend the existing zoning ordinances to fit the needs of the Town,

NOW THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that Appendix B-Zoning Section XI-A, Paragraph III A of the Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

A. Any resident may park, keep, store and maintain, without restriction, standard passenger vehicles **automobiles**, whether or not owned by said resident, anywhere on the resident's private property in any R-1 district of the Town. Such vehicle need not be garaged, walled, enclosed or otherwise concealed from view.

BE IT FURTHER ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that Section XI-A, Paragraph III C of the Code of Ordinances Town of Sewall's Point, Florida is hereby amended to read as follows:

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C. Other than standard passenger vehicles **automobiles** defined herein, no motor vehicles, no boats and no hauling trailers may be parked, kept, stored or maintained upon a street, road or right-of-way or on private property within any R-1 district of the town unless such vehicle is totally concealed from the view of any abutting property (whether occupied or not) or any street, road, right-of-way or private easement serving the property on which such motor vehicle, boat or hauling trailer is located. The view of such motor vehicle, boat or hauling trailer shall be totally concealed by enclosure of said motor vehicle, boat or hauling trailer within a garage, opaque fencing, wall or other structure that complies with building and zoning ordinances of the town, or by enclosure within opaque hedges or other vegetation, or by enclosure within a combination of said structures and vegetation.

BE IT FURTHER ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that Section XI-A, Paragraph III D of the Code of Ordinances Town of Sewall's Point, Florida is hereby amended to read as follows:

D. Only motor vehicles that have forward

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cabs like those of standard passenger vehicles
automobiles but have open or enclosed rear
compartments intended or used for purposes other
than conveying passengers may be parked in such
way as to be concealed from outside view from only
three (3) sides, providing:

1. The structure in which they are parked
is covered by a roof, and
2. Only the front or cab portion of the
vehicle is visible from outside the structure, and
3. The vehicle is parked in a structure
in such a manner that its appearance to
surrounding properties is the same as if a
standard passenger vehicle **automobile** were parked
in the same manner.

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

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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 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.

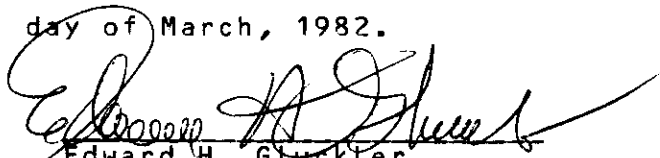
EFFECTIVE DATE.

This Ordinance shall become effective immediately upon the date of its passage according to law.

Passed first reading at the regular meeting of the Town Commission held on the 10th day of February, 1982.

Passed second reading at the regular meeting of the Town Commission held on the 10th day of March, 1982.

ATTEST:


Edward H. Gluckler,
Mayor-Commissioner

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Joan Barrow
Joan Barrow,
Town Clerk

Vincent P. Miraglia
Vincent P. Miraglia
Commissioner

Approved as to form and
Correctness.

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

James E. Knight
James E. Knight,
Town Attorney

Dana deWindt
Dana deWindt,
Commissioner

Gilbert Strubell
Gilbert Strubell,
Commissioner

