

"All The News That Fits In Print"

P.O. Box 787
Jensen Beach, Florida 33457
Telephone: 334-4333

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA)
COUNTY OF MARTIN)

Before the undersigned authority personally appeared Richard E. Campbell, who on oath says that he is editor of The Jensen Beach Mirror, a weekly newspaper published at Jensen Beach in Martin County, Florida; and that the attached copy of advertisement, being a Town of Sewall's Point - Public Notice in the matter of Ordinance # 123 in the _____ Court, was published in said newspaper in the issues of January 7, 1981.

Affiant further says that the said Jensen Beach Mirror is a newspaper published at Jensen Beach in Martin County, Florida, and that the said newspaper has heretofore been continuously published in said Martin County, Florida, each Wednesday and has been entered as second class mail matter at the post office in Jensen Beach in said Martin County, a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Richard E. Campbell

AFFIANT

Sworn to and subscribed

before me this 8

day of Jan., 1981.

Notary Public

Jean Morgan

(SEAL)

NOTARY PUBLIC STATE OF FLORIDA "AT LARGE"
MY COMMISSION EXPIRES FEB 22 1984
BONDED THRU GENERAL INS. UNDERWRITERS

LEGAL NOTICE

NOTICE is hereby given that the following proposed Ordinance amending Code of Ordinances Appendix B-Zoning, will be introduced in writing and read for the first time at the regular meeting of the Town Commission of the Town of Sewall's Point to be held at the Town Hall in Sewall's Point, Florida, on the 14th day of January, 1981, at 7:30 p.m., or as soon thereafter as is practicable.

A full copy of said proposed Ordinance amending Code of Ordinances Appendix B-Zoning, entitled hereafter, may be inspected at the Town Hall in Sewall's Point, Florida, during regular business hours. All interested parties may appear at said meeting and be heard with respect to this proposed Ordinance.

The Town Commission of the TOWN OF SEWALL'S POINT

By: -s- Joan Beckley, Town Clerk

ORDINANCE NO. 123

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX B-ZONING; PROVIDING FOR THE BOARD OF ZONING ADJUSTMENT TO BE REPRESENTED AT EACH AND EVERY PUBLIC HEARING OF THE BOARD BY ITS OWN ATTORNEY; PROVIDING FOR THE BOARD OF ZONING ADJUSTMENT ATTORNEY TO BE PAID FOR HIS SERVICES SEPARATE AND APART FROM THE TOWN ATTORNEY'S FEES FOR SERVICES; 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.

Publish, The Mirror: January 7, 1981

ORDINANCE NO. 123

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING TOWN OF SEWALL'S POINT CODE OF ORDINANCES APPENDIX B-ZONING; PROVIDING FOR THE BOARD OF ZONING ADJUSTMENT TO BE REPRESENTED AT EACH AND EVERY PUBLIC HEARING OF THE BOARD BY ITS OWN ATTORNEY; PROVIDING FOR THE BOARD OF ZONING ADJUSTMENT ATTORNEY TO BE PAID FOR HIS SERVICES SEPARATE AND APART FROM THE TOWN ATTORNEY'S FEES FOR SERVICES; 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 the Charter of the Town of Sewall's Point, styled Chapter 57-1865, Laws of Florida, and pursuant to Chapter 166, Florida Statutes, the Town of Sewall's Point has authority to amend zoning ordinances, and

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

WHEREAS, the Town Commission has determined that the Town Attorney should not represent the Board of Zoning Adjustment where conflicts arise between the Town Commission and the Board of Zoning Adjustment.

NOW THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that section XV, Paragraph A, 11., of the Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

Words in ~~struck-through~~ type are deletions from existing law;
Words in underscore type are additions.

I.

~~The Town Attorney of the Town of Sewall's Point shall represent the Board of Zoning Adjustment at each and every public hearing of the Board.~~ The Board of Zoning Adjustment shall be represented at each and every public hearing of the Board by its own attorney, who shall be paid for his services separate and apart from the Town Attorney's fees for services. The Board of Zoning Adjustment shall choose its attorney and shall recommend the attorney to the Town Commission for its approval of said and attorneys fees. The Attorney shall be entitled to reasonable compensation for his services as set forth by Resolution of the Commissioners of the Town of Sewall's Point. The Attorney shall prepare a Resolution for each action taken by the Board of Zoning Adjustment and such Resolution shall be recorded with the Clerk of the Town of Sewall's Point, in the Minutes of the Board of Zoning Adjustment. In the event that an applicant before the Board is represented by applicant's own counsel, then applicant's counsel shall prepare the necessary Resolution, which Resolution shall be subject to the approval of the Attorney of the Board of Zoning Adjustment.

II.

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 to be inapplicable to any person, groups

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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.

III.

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.

IV.

Repeal:

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

V.

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 December, 1980.

Passed second reading at the regular meeting of the Town Commission held on the 14th day of January, 1981.

ATTEST:

Joan Beckley
Town Clerk,
Joan Beckley

Edward H. Gluckler
Mayor-Commissioner Edward H. Gluckler

Approved as to form
and correctness.

James E. Knight
Town Attorney,
James E. Knight

Commissioner E. Clinton Towl

Dana de Windt
Commissioner Dana deWindt

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

Gilbert Strubell
Commissioner Gilbert Strubell

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