

ORDINANCE NO. 137

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, ADOPTING BY REFERENCE ALL INFRACTIONS UNDER STATE LAW; 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, Ordinance No. 60 of the Town of Sewall's Point, Florida, adopted by reference the laws of the State of Florida set out in Chapters 186, 261, 317 and 322, Florida Statutes (1967); and

WHEREAS, many of the laws of Florida so adopted in Ordinance No. 60 have since been amended, repealed or transferred; and

WHEREAS, the Town Commission has determined that, because of the narrow boundaries of the Town of Sewall's Point, Florida, many persons committing traffic or other offenses not classified as misdemeanors or felonies within the Town may pass beyond the Town's limits before apprehension by Town police.

WHEREAS, the Town Commission has determined that it is in the best interest of the Town of Sewall's Point and its citizens to authorize its police officers to make fresh pursuit of such traffic and other offenders to the fullest extent permitted by law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, THAT:

1. It shall be unlawful to commit, within the limits of this Town, any act that is or shall be recognized as an infraction, as presently defined in Section 318.14, Florida Statutes (1981), under the laws of the State of Florida, now existing or as amended from time to time and the commission of any such act is hereby forbidden.

2. It shall be unlawful to violate, within the limits of the Town, any provisions of Chapters 316, 320, 321 or 325, Florida Statutes (1981), as the same may now exist or be amended from time to time, and the commission of any such act is hereby forbidden.

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 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 13 day of April, 1983.

Passed second reading at the regular meeting of the Town Commission held on the 11 day of May, 1983.

ATTEST:

Joan Barrow  
JOAN BARROW, Town Clerk

Gilbert C. Strubell  
GILBERT C. STRUBELL,  
Mayor-Commissioner

Approved as to form and correctness:

Helena B. Towl  
HELENA B. TOWL, Commissioner

M. Lanning Fox  
M. LANNING FOX,  
Town Attorney

William E. Barton III  
WILLIAM E. BARTON, III,  
Commissioner

Edward H. Gluckler, Commissioner

Dana deWindt  
DANA deWINDT, Commissioner