

Second Draft
July 28, 1983

Coding: Words underscored are deletions from existing ordinance;
words in **BOLDFACE** type are additions

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ORDINANCE NO. 142

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING THE TOWN OF SEWALL'S POINT CODE OF ORDINANCES, APPENDIX B-ZONING; PROHIBITING SIGNS ON TREES; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes, and the Town Charter of the Town of Sewall's Point, Style Chapter 57-1865, Laws of Florida, the Town of Sewall's Point has the authority to enact zoning ordinances; and

WHEREAS, the Town Commission of the Town of Sewall's Point has determined that it would be beneficial to the general welfare to amend the Town's Zoning Code to prohibit attaching signs to trees in order to protect and preserve the appearance, character and value of property within the Town for the perpetuation of the aesthetic qualities of the Town; and

WHEREAS, the Town Commission finds that attaching signs to trees causes a danger of death, disease or injury to trees, which is contrary to the general welfare 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.I., Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended by adding a subsection, to be numbered 3, which subsection reads as follows:

3. Signs on Trees: No signs shall be attached to trees.

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 13th day of July, 1983.

Passed second reading at the regular meeting of the Town Commission held on the 10th day of August, 1983.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

G C Strubell
GILBERT C. STRUBELL,
Mayor-Commissioner

Approved as to form and
correctness:
M. Lanning Fox
M. LANNING FOX

Helena B. Towl
HELENA B. TOWL, Vice Mayor-
Commissioner

Clifford B. Drake
CLIFFORD B. DRAKE, Commissioner

Edward H. Gluckler
EDWARD H. GLUCKLER, Commissioner

John C. Guenther
JOHN C. GUENTHER, Commissioner

