

First Draft  
October 24, 1986

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

ORDINANCE NO. 163

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTIONS 11-57 AND 11-58 OF THE TOWN OF SEWALL'S POINT CODE OF ORDINANCES; LIMITING REQUIRED REMOVAL OF OFFENSIVE PLANTS OR TREES TO OWNERS ACQUIRING TITLE TO THE AFFECTED LANDS ON AND AFTER DECEMBER 11, 1985; 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, the Town Commission for the Town of Sewall's Point has, in Ordinance No. 160, amended Article IV of Chapter 11 of the Code of Ordinances of the Town of Sewall's Point by adding Sections 11-57 and 11-58 thereof; and

WHEREAS, the Town Commission for the Town of Sewall's Point has determined that it is fair and proper to apply Section 11-57 and Section 11-58 only prospectively to owners who acquire title to the affected lands on and after the effective date of Ordinance No. 160, which was December 11, 1985.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, THAT Article IV, of Chapter 11 of the Code of Ordinances of the Town of Sewall's Point, Florida, entitled "Tree Removal Regulations," is hereby amended by adding the following words to Sections 11-57 and 11-58: "This section shall apply only to owners acquiring title to the affected lands on or after December 11, 1985."

**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 12<sup>th</sup> day of November, 1986.

Passed second reading at the regular meeting of the Town Commission held on the 10<sup>th</sup> day of December, 1986.

ATTEST:

Joan Barrow  
JOAN BARROW, Town Clerk

John C. Guenther  
JOHN C. GUENTHER, Mayor -  
Commissioner

Approved as to form and  
correctness:

M. Lanning Fox  
M. LANNING FOX, Town  
Attorney

G. C. Strubell  
GILBERT C. STRUBELL, Vice-Mayor -  
Commissioner

Robert R. Aune  
ROBERT R. AUNE, Commissioner

Clifford B. Drake  
CLIFFORD B. DRAKE, Commissioner

Irene E. O'Brien  
IRENE E. O'BRIEN, Commissioner

