

First Draft
October 28, 1986

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

ORDINANCE NO. 164

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, REPEALING SECTION 4-16.2, WHICH ESTABLISHED A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR SATELLITE ANTENNAE; 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 of the Town of Sewall's Point adopted Ordinance No. 141 on August 10, 1983, establishing a three-month moratorium on issuance of building permits for satellite antennae, which ordinance was included in the Code of Ordinances of the Town of Sewall's Point, Florida, as Section 4-16.2; and

WHEREAS, the effective period of Section 4-16.2 is completed and the Town Commission wishes to remove Section 4-16.2 from the Code or Ordinances of the Town of Sewall's Point.

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

1. That Section 4-16.2 of the Code or Ordinances of the Town of Sewall's Point, Florida, is hereby repealed.

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Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.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 12th day of November, 1986.

Passed second reading at the regular meeting of the Town Commission held on the 10th 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

