

First Draft
December 9, 1986

ORDINANCE NO. 168

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT PROVIDING FOR ENFORCEMENT OF COUNTY ORDINANCE NO. 311 WITHIN THE INCORPORATED LIMITS OF THE TOWN OF SEWALL'S POINT; 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 has previously enacted Ordinance No. 159 which provides that no county ordinance shall apply within or be enforced within the incorporated limits of the Town of Sewall's Point unless such application and enforcement is expressly required under general or special law or expressly approved by the Town Commission through a duly enacted ordinance; and

WHEREAS, the Martin County Commission has recently enacted County Ordinance No. 311 which prohibits the possession of alcoholic beverages in unsealed containers in motor vehicles; and

WHEREAS, the Town Commission has determined that County Ordinance No. 311 would enhance the public health, safety and welfare of the residents of the Town of Sewall's Point if said ordinance were applicable and enforceable within the Town of Sewall's Point corporate limits.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that County Ordinance No. 311 is hereby adopted by reference as fully and to the same extent as if set out at length herein. It is hereby made an ordinance of the Town of Sewall's Point, Florida, and made applicable and enforceable within the incorporated limits of the Town of Sewall's Point.

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 14th day of January, 1987.

Passed second reading at the regular meeting of the Town Commission held on the 11th day of February, 1987.

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

