

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED “LAND DEVELOPMENT CODE”; BY SPECIFICALLY AMENDING SECTION 12-261 ENTITLED “HEIGHT REGULATIONS” TO PROVIDE FOR AN EXCEPTION TO THE HEIGHT REGULATIONS OF CHAPTER 12 FOR ELEVATOR EQUIPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission hereby finds it is in the best interest of the Town to amend the Town Code of Ordinances, by specifically amending Chapter 12 related to the exception of height regulations for elevator equipment;

WHEREAS, the Town Commission deems it in the best interest of the Town to allow for the exception of elevator equipment from the height regulations of Town’s Land Development Code in Chapter 12.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. Chapter 12 entitled “Land Development Code” of the Town’s Code of Ordinances, specifically Section 12-261 entitled “Height Regulations” is hereby amended as follows:

Sec. 12-261 – Height Regulations

The height limitations of this article shall not apply to:

(A) Master radio or television antennae;

(B) Chimneys; ~~or~~

(C) Flag poles; ~~or~~

(D) Elevator components

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 4. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

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Section 5. It is the intention of the Town Commission of the Town of Hillsboro Beach, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 6. This Ordinance shall be effective after its passage and adoption by the Town Commission of the Town of Hillsboro Beach.

PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON FIRST READING, THIS ___ DAY OF ____, 2022.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON SECOND AND FINAL READING, THIS ___ DAY OF ____, 2022.

By: _____
Deborah L. Tarrant, Mayor

ATTEST:

By: _____
Sherry D. Henderson, CMC, Town Clerk

APPROVED AS TO FORM:

Donald J. Doody, Town Attorney