

DAVIE, FLORIDA
ORDINANCE O 2025-

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 6, ARTICLE II, SECTION 6-38 TITLED, "MAINTENANCE OF RIGHTS-OF-WAY AND SWALES ON PUBLIC OR PRIVATE PROPERTY;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166 of the Florida Statutes, the Town of Davie is authorized to protect the public health, safety, and welfare of its residents and has the power and authority to enact regulations for valid governmental purposes that are not inconsistent with general or special law;

WHEREAS, the proposed ordinance amendment is within the police power of the Town of Davie;

WHEREAS, the Town Council finds that this ordinance amendment is necessary for the preservation of the public health, safety and welfare of the Town's residents; and

WHEREAS, the Town Council has held two advertised public hearings in accordance with Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town Council of the Town of Davie as its legislative findings relative to the subjects and matters set forth in this Ordinance.

Section 2. Chapter 6, Article II, Section 6-38 titled, "Maintenance of rights-of-way and swales on public or private property" is hereby amended and adopted as set forth in Exhibit "A".

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Council that such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon passage and adoption.

PASSED FIRST READING THIS _____ DAY OF _____, 20____.

PASSED SECOND READING THIS _____ DAY OF _____, 20____.

TOWN SEAL

Mayor Judy Paul

Authentication:

Evelyn Roig
Town Clerk

Motion:		
Second:		
Vote	Yea	Nay
Mayor Paul		
Vice Mayor Hattan		
Councilmember Whitman		
Councilmember Starkey		
Councilmember Luis		

Approved by the Town Attorney
as to form and legal sufficiency:

Allan T. Weinthal