

ORDINANCE NO. 616

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 67, “BUILDINGS AND BUILDING REGULATIONS”, ARTICLE III, “TECHNICAL CODES AND OTHER CONSTRUCTION STANDARDS”, DIVISION 2, “ADMINISTRATION AND ENFORCEMENT”, SECTION 67-55, “CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS” TO PROVIDE THAT CERTAIN APPEALS MAY BE MADE TO THE BOARD OF ADJUSTMENT; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to provide that appeals from the decision of the building official may be made to the Board of Adjustment rather than the Construction Board of Adjustments and Appeals; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 67 “Buildings and Building Regulations”, Article III “Technical Codes and other Construction Standards”, Division 2, “Administration and Enforcement”, Section 67-55, “Construction board of adjustments and appeals”, is hereby amended as follows:

Sec. 67-55. - Construction board of adjustments and appeals.

There is hereby established a board, to be called the construction board of adjustments and appeals, which shall consist of five members. Such board, whenever possible, shall be composed of an architect, a general contractor or engineer, an electrical contractor, a plumbing contractor and a member at large from the building industry. Such board shall be appointed by the town commission to hold such appointment at its pleasure. The board shall have the power and duty prescribed in the standards and countywide amendments adopted in section 67-31. In

lieu of the board established herein, during the term of any agreement between the town and the county wherein the county reviews and issues building permits in the town, the town commission may forward an appeal to be heard before the county construction board of adjustments and appeals, or similar duly authorized appellate body. Application fees and costs shall be as approved by the town commission by resolution. In the event the Town Commission has not appointed members to the Construction Board of Adjustments and Appeals, the Town's Board of Adjustment shall hear all appeals that would normally be heard by the Construction Board of Adjustments and Appeals.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 12th day of September, 2016.

SECOND AND FINAL READING this 7th day of November, 2016.

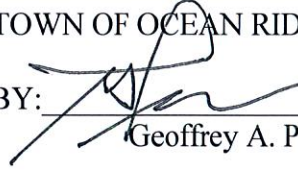
Commissioner Bonfiglio offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner Aaskov and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
RICHARD LUCIBELLA, Vice Mayor	<u>Absent</u>
GAIL ADAMS AASKOV, Commissioner	<u>Yea</u>
JAMES BONFIGLIO, Commissioner	<u>Yea</u>
STEVE COZ, Commissioner	<u>Yea</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 7th day of November, 2016.

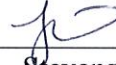
TOWN OF OCEAN RIDGE, FLORIDA

BY:



Geoffrey A. Pugh, Mayor

ATTEST:



Tracey L. Stevens, Town Clerk