

ORDINANCE NO. 628

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 1, "GENERAL PROVISIONS", SECTION 1-3, "DEFINITIONS" TO CLARIFY THE DEFINITION OF "FAMILY"; CHAPTER 67, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE VII, "BUILDING STANDARDS", DIVISION 3, "OCCUPANCY LIMITATIONS", SECTION 67-205 "OCCUPANCY LIMITATIONS", TO CLARIFY OCCUPANCY LIMITATIONS; 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 clarify the existing definition of "family" and its application; 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 1 "General Provisions", Section 1-3, "Definitions", is hereby amended as follows:

~~*Family* means one or more persons occupying a single dwelling unit; provided that, unless all members are related by blood, legal adoption or marriage, no such family shall contain over five persons; but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family. Any person under the age of 18 years whose legal custody has been awarded to the State Department of Health and Rehabilitative Services or to a child-placing agency licensed by the Department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition.~~

Family shall mean two (2) or more persons living together and interrelated by bonds of consanguinity, marriage or legal adoption, and/or a group of persons not more than three (3) in

number who are not so interrelated, occupying the whole or part of a dwelling as a single housekeeping unit that shares common living, sleeping, cooking, and eating facilities. Any person under the age of 18 years whose legal custody has been awarded to the State Department of Health and Rehabilitative Services or to a child-placing agency licensed by the Department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition. Occupancies in excess of the number allowed herein shall have twelve (12) months from the date of the enactment of this definition or the termination of the current lease agreement to come into compliance, whichever occurs first. A family does not include any society; nursing home; club; boarding or lodging house; dormitory; fraternity; sorority; or group of individuals whose association is seasonal or similar in nature to a resort, hotel, boarding or lodging house.

SECTION 3 – Amendment: Chapter 67 “Buildings and Building Regulations”, Article VII “Building Standards”, Division 3, “Occupancy limitations”, Section 67-205 “Occupancy Limitations” is hereby amended as follows:

Sec. 67-205. – Occupancy limitations.

That no more than ~~five (5)~~ three (3) unrelated persons shall reside in any dwelling unit as further defined in the definition of “family” as provided in Section 1-3 of this Code.

SECTION 4 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 5 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 6 - 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 7 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 2nd day of October, 2017.

SECOND AND FINAL READING this 6th day of November, 2017.

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

GEOFFREY A. PUGH, Mayor

Yea

JAMES A. BONFIGLIO, Vice Mayor

Yea

GAIL ADAMS AASKOV, Commissioner

Yea

STEVE COZ, Commissioner

Yea

DON MAGRUDER, Commissioner

Yea

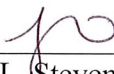
The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 6th day of November, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____


Geoffrey A. Pugh, Mayor

ATTEST: _____


Tracey L. Stevens, Town Clerk

