

ORDINANCE NO. 09-2013

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-1 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBERS FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES, AND NON-RESIDENTIAL BUILDINGS FROM SIX INCHES TO EIGHT INCHES; PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE III, SECTION 70-61(G), ENTITLED "SIGNS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (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 has adopted general provisions pertaining to building regulations and signage, which have been codified in Chapter 54 and Chapter 70, respectively, of the Code of Ordinances of the Town; and

WHEREAS, the Town's Community Development Department has recommended amendments to Section 54-1 of the Code of Ordinances to increase the height of the numbers of street addresses for residential and non-residential buildings; and

WHEREAS, The Town's Community Development Department has recommended the repeal of Section 70-61(g) of the Code of Ordinances because this provision duplicates the requirements of Section 54-1 and is therefore unnecessary; and

WHEREAS, the amendments to the Code will increase the height of the numbers of street addresses on residential buildings from four to six inches and on non-residential buildings from six to eight inches so as to be consistent with the Palm Beach County Fire Prevention Code; and

WHEREAS, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 54, Article I, Section 54-1 is hereby amended as follows:

Sec. 54-1. Display of street number required.

All buildings within the Town shall have affixed to the front of same the street number assigned thereto in accordance with the following criteria:

(1)

Residential buildings. Numerals at least ~~four~~ six inches high of a ~~color~~ contrasting color with the background where it is field affixed. Must be affixed on, immediately above or immediately to the side of the principal building entrance and clearly visible from the street. Multi-unit buildings shall display a numerical or letter unit designation to identify each unit within the building.

(2)

Nonresidential buildings. Numerals at least ~~six~~ eight inches high of a ~~color~~ contrasting color with the background where it is field affixed. Must be affixed at the center, or on either end of the building and clearly visible from the street. Multi-unit buildings, ~~in addition,~~ shall additionally have numerical or letter unit designations displayed to identify each unit. as required for residential buildings.

Section 3. Chapter 70, Article III, Section 70-61(g) is hereby repealed as follows:

Sec. 70-61. General provisions.

~~(g)~~

~~All commercial buildings shall have, visible from the roadway, the address of such building, buildings or development. Each address which shall be a minimum height of six inches in. Addresses on residential buildings shall be a minimum height of four six inches in height.~~

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Codification. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 7. Effective Date. This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 17 day of July, 2013, the foregoing Ordinance was offered by Commissioner O'Rourke, who moved its approval. The motion was seconded by Commissioner Rapoza and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 28 DAY OF July, 2013

Upon Second Reading this 7 day of August, 2013, the foregoing Ordinance, was offered by Commissioner Flaherty, who moved its adoption. The motion was seconded by Commissioner O'Rourke and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 09-2013 duly passed and adopted this 7 day of August, 2013.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois
Mayor, James DuBois

ATTEST:

Vivian Mendez
Town Clerk, Vivian Mendez
(Seal) Seal
TOWN OF LAKE PARK
FLORIDA

Approved as to form and legal sufficiency:

Thomas J. Baird
Town Attorney, Thomas J. Baird

ORDINANCE NO 09-2013
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54.1 OF THE TOWN CODE, OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBER FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES AND NON-RESIDENTIAL BUILDINGS FROM FOUR INCHES TO EIGHT INCHES PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE 1, SECTION 70-61(G) ENTITLED "SIGNS", PROVIDING FOR SEVERABILITY, PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT, PROVIDING FOR COOPERATING AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (Town) is a duly constituted municipality having full power and authority conferred upon it by the Florida Constitution and Chapter 196, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to building regulations and signage, which have been codified in Chapter 54 and Chapter 70, respectively of the Code of Ordinances of the Town and

WHEREAS, the Town's Community Development Department has recommended amendments to Section 54.1 of the Code of Ordinances to increase the height of the numbers of street addresses for residential and non-residential buildings; and

WHEREAS, the Town's Community Development Department has recommended the repeal of Section 70-61(g) of the Code of Ordinances because this provision duplicates the requirements of Section 54.1 and is therefore unnecessary; and

WHEREAS, the amendments to the Code will increase the height of the numbers of street addresses on residential buildings from four to six inches and on non-residential buildings from six to eight inches so as to be consistent with the Palm Beach County Fire Prevention Code; and

WHEREAS, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The selected clauses are incorporated herein as true and correct and of the legislative findings of the Town Commission.

Section 2. Chapter 54, Article 1, Section 54.1 is hereby amended to read as follows:

Sec. 54.1 Display of street number required.

All buildings within the Town shall have affixed to the front of the street number assigned thereto in accordance with the following criteria:

(1) Residential buildings. Numbers at least six inches high of a contrasting color with the background where it is affixed. Must be affixed on, immediately above or immediately to the side of the principal building entrance and clearly visible from the street. Multi-unit buildings shall display a numerical or letter unit designation to identify each unit within the building.

(2) Nonresidential buildings. Numbers at least eight inches high of a contrasting color with the background where it is affixed. Must be affixed at the corner, or on either end of the building and clearly visible from the street. Multi-story buildings shall additionally have numerical or letter unit designations displayed to identify each unit.

Section 3. Chapter 70, Article 1, Section 70-61(g) is hereby repealed as follows:

Sec. 70-61 General provisions.

Section 4. Severability. If any section, subsection, paragraph, clause, phrase or portion of this Ordinance is for any reason held invalid or unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Certification. The actions of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or reclassified to conform to such and the word "ordinance" may be changed to "section" or "code" or any other appropriate word.

Section 7. Effective Date. This Ordinance shall take effect immediately upon adoption.

P.O. The Palm Beach Post
 7/28/2013 4:04:56

TOWN OF LAKE PARK

PROOF OF PUBLICATION

STATE OF FLORIDA
 COUNTY OF PALM BEACH

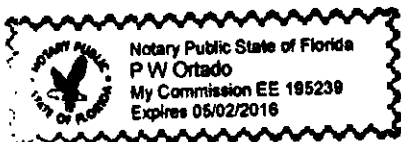
Before the undersigned authority personally appeared Rosemary Hindmarch, who on oath says that she is Call Center Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice

was published in said newspaper on 07/28/2013 and ended 07/28/2013

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

Signed Rosemary Hindmarch

Sworn to and subscribed before 08/01/2013.
 Who is personally known to me.



ORD NO 09-2013
 Ad ID: 229356
 Ad Cost: 421.82