

**ORDINANCE NO. 580**

**AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, RENAMING CHAPTER 65 OF THE CODE OF ORDINANCES “TELECOMMUNICATION FACILITIES”; CREATING ARTICLE I OF CHAPTER 65 OF THE CODE OF ORDINANCES ENTITLED “TELECOMMUNICATION TOWERS AND ANTENNAS” AND INCLUDING THEREIN CURRENT SECTIONS 65-1 THRU 65-8; CREATING ARTICLE II OF CHAPTER 65 OF THE CODE OF ORDINANCES ENTITLED “CONSTRUCTION AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES IN THE TOWN’S RIGHTS-OF-WAY”; TRANSFERRING CHAPTER 14 OF THE CODE OF ORDINANCES CREATED BY ORDINANCE NO. 556 TO ARTICLE II OF CHAPTER 65 OF THE CODE OF ORDINANCES AND RENUMBERING ACCORDINGLY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Ordinance No. 556 providing for the terms and conditions for the erecting, constructing and maintaining of telecommunications facilities in the Town’s public rights-of-way was adopted by the Town Commission on second and final reading on June 6, 2005; and

WHEREAS, Ordinance No. 556 created new Chapter 14 of the Town’s Code of Ordinances; and

WHEREAS, Chapter 65 of the Town’s Code of Ordinances addresses telecommunications towers and antennas; and

WHEREAS, Chapters 14 and 65 of the Town’s Code of Ordinances address related items that the Town Commission has determined are more properly located in the same chapter of the Town’s Code of Ordinances.

**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. Renumbering and Retitling of Code Chapters.** The following changes to Chapters 14 and 65 of the Town’s Code of Ordinances are hereby established:

(a) Chapter 65 shall be renamed “Telecommunication Facilities.”

(b) Article I of Chapter 65 is hereby created and shall be entitled “Telecommunication Towers and Antennas.” Existing Sections 65-1 through 65-8 shall hereafter be included in Article I.

(c) Article II of Chapter 65 is hereby created and shall be entitled “Construction and Maintenance of Telecommunication Facilities in the Town’s Rights-of-Way.”

(d) Existing Chapter 14 of the Code of Ordinances, created by Ordinance No. 556 (effective date June 6, 2005) shall hereby constitute Article II of Chapter 65. The sections of Ordinance No. 556 may be renumbered or relettered and its provisions shall be referred to as "Article", "Section", and such other appropriate words or phrases in order to properly codify it as set forth herein.

(e) As a result of the transfer of the provisions of Chapter 14 to Chapter 65, Article II, Chapter 14 shall no longer exist and shall be reserved for future purposes.

**Section 3. Repeal of Ordinances.** Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

**Section 4. Severability.** In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

**Section 5. Effective Date.** This Ordinance shall take effect immediately after adoption or as provided by law.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2008.

SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2008.

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

KENNETH M. KALEEL, Mayor \_\_\_\_\_

DR. LYNN L. ALLISON, Vice Mayor \_\_\_\_\_

ELIZABETH P.B. BINGHAM, Commissioner \_\_\_\_\_

TERRY BROWN, Commissioner \_\_\_\_\_

GEOFFREY A. PUGH, Commissioner \_\_\_\_\_

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this \_\_\_\_ day of \_\_\_\_\_, 2008.

TOWN OF OCEAN RIDGE, FLORIDA

BY: \_\_\_\_\_  
KENNETH M. KALEEL, MAYOR

ATTEST: \_\_\_\_\_  
TOWN CLERK