

**ORDINANCE NO. 585**

**AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING CHAPTER 67, ARTICLE III, SECTION 67-58(c) PROVIDING PENALTIES FOR COMMENCING ANY WORK ON A BUILDING OR STRUCTURE BEFORE OBTAINING THE NECESSARY PERMIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, experience has shown that the current penalty for building without a permit, which is double the permit fee, is inadequate; and

WHEREAS, the Town has conducted a survey of the surrounding communities' code of ordinances to determine their penalties for commencing work on a building or structure without a permit; and

WHEREAS, most of the surrounding communities assess a penalty of four times the permit fee for commencing work on a building or structure before obtaining the necessary permit; 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 voters and 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.** The Code of Ordinances of the Town of Ocean Ridge, Florida, is hereby amended by amending Chapter 67, Article III, Section 67-58(c), which subsection shall read in its entirety as follows:

Sec. 67-58. Permit Fees.

(c) If any person commences any work on a building or structure before obtaining the necessary permit under this article, the fee for the permit, when obtained, shall be double the total amount of the permit fee otherwise required plus \$200.00 if the total cost of the work on a building or structure is equal to or less than \$5,000, and four times the total amount of the permit fee otherwise required if the total cost of the work on a building or structure exceeds \$5,000.

**Section 3. 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 4. Repeal of Ordinances.** Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

**Section 5. Effective Date.** This Ordinance shall become effective immediately upon adoption.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2009.

SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2009.

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 \_\_\_\_\_

GEOFFREY A. PUGH, Vice Mayor \_\_\_\_\_

DR. LYNN L. ALLISON, Commissioner \_\_\_\_\_

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

TERRY BROWN, 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 \_\_\_\_\_, 2009.

TOWN OF OCEAN RIDGE, FLORIDA

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

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