

ORDINANCE NO. 16-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING SECTION 2-148 "CIVIL PENALTY SCHEDULE", OF CHAPTER 2 "ADMINISTRATION", BY ADDING CIVIL PENALTIES FOR BOAT SAFETY INFRACTIONS; AND CLARIFYING OTHER INFRACTIONS CURRENTLY IN CODE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

WHEREAS, Chapter 327, section 327.60, Florida Statutes, authorizes the Town of Lake Clarke Shores to adopt ordinances or local regulations relating to the operation of vessels with some limitations; and

WHEREAS, the Town of Lake Clarke Shores finds it to be in the best interest of the public health, safety and welfare of the citizens of the Town to adopt provisions related to boat safety on its navigable water;

WHEREAS, it is necessary for the Town of Lake Clarke Shores to enforce boat safety ordinances on its navigable water through the issuance of citations pursuant to Chapter 162, Part II, ss. 162.21 through 162.30, Florida Statutes, known as the "Supplemental County or Municipal Code of Ordinance Enforcement Procedures" by amending the Code of Ordinances' civil penalty schedule; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, as follows:

SECTION 1. Section 2-148 "Civil penalty schedule", of Chapter 2 "Administration", of the Code of Ordinances of the Town of Lake Clarke Shores is hereby amended by adding civil penalties for boat safety infractions as follows:

Sec. 2-148. Civil penalty schedule.

The civil penalty schedule may be modified by the town council from time to time. The following civil penalties are minimum penalties. However, no penalty shall exceed \$500.00.

Violation	Contested		Uncontested	
	Offense/Fine		Offense/Fine	
	1st	2nd	1st	2nd
Animals at Large	\$100.00	\$200.00	\$50.00	\$100.00
No <u>Garage Sale/Capital Outdoor Sale</u> Permit Obtained	125.00	250.00	50.00	100.00
Unpaid Garbage Fees	100.00	200.00	50.00	100.00

No License Local Business Tax Receipt/Registration	150.00	300.00	75.00	150.00
Noise Violation	50.00	100.00	25.00	50.00
Overgrown Grass: 12 inches in height	150.00	300.00	50.00	100.00
Unkept Yard	150.00	300.00	50.00	100.00
Abandoned/ <u>Dismantled/Inoperable/Unregistered</u> Vehicle	150.00	300.00	75.00 50.00	150.00 100.00
No Boat Ramp Decal	125.00	300.00	50.00 25.00	100.00 50.00
Obstruction of Public Easement/ <u>Swale</u>	125.00	250.00	50.00	100.00
Visual Obstruction	125.00	250.00	50.00	100.00
Sign-No Permit	50.00	100.00	25.00	50.00
Prohibited Sign	150.00	300.00	50.00	100.00
Illegal Real Estate Sign	125.00	250.00	50.00	100.00
<u>Prohibited Parking - Trailers, Boats, Trucks, and R.V.s</u>	150.00	300.00	50.00	100.00
<u>Visual Obstruction</u> <u>Illicit Discharge</u>	125.00	250.00	50.00 100.00	100.00 150.00
<u>Illegal sale</u> <u>Vegetation Placed in Roadway</u>	150.00 50.00	200.00 100.00	100.00 25.00	125.00 50.00
<u>Garbage/vegetation placed out too early</u>	50.00	100.00	25.00	50.00
<u>Garbage/trash receptacle in front of Building Elevation</u> <u>Line</u>	50.00	100.00	25.00	50.00
<u>Boat Vessel Registration</u>	25.00 50.00	Per FL SS	25.00	50.00
<u>No Boater ID Card</u>	25.00 50.00	Per FL SS	25.00	50.00
<u>Safety Equipment</u>	25.00 90.00	Per FL SS	50.00	90.00
<u>Idle Speed/Minimum Wake</u>	90.00	Per FL SS	50.00 90.00	90.00 150.00
<u>Water Ski</u>	90.00	Per FL SS	50.00	90.00

<u>Careless Operation of a Boat-Vessel</u>	<u>90.00</u>	<u>Per FL SS</u>	<u>50.00</u> <u>90.00</u>	<u>90.00</u> <u>150.00</u>
<u>Personal watercraft violation</u>	<u>90.00</u>	<u>Per FL SS</u>	<u>50.00</u>	<u>90.00</u>

SECTION 2. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the Town of Lake Clarke Shores, Florida. The sections of this Ordinance may be renumbered or lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 3. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance will take effect immediately upon adoption.

PASSED AND ADOPTED the 14th day of June, 2016, on first reading.

PUBLISHED the 23rd day of June, 2016, in the Lake Worth Herald / Coastal Observer.

PASSED AND ADOPTED this 12th day of July, 2016, on second and final reading.

	FOR	AGAINST
By: <u>[Signature]</u> Robert M. W. Shalhoub, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Thomas C. Mayes, Jr., Vice Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Valentin Rodriguez, Jr., President Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>absent</u> Malcolm K. Lewis, Council Member	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Gregory Freebold, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTESTED:

[Signature]
Mary Pinkerman, Town Clerk