

Ordinance No. 20-2020

AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 74 OF THE TOWN'S CODE OF ORDINANCES BY INCLUDING A NEW ARTICLE V, TITLED BEACH ACCESS CLOSURE; INCLUDING A NEW SECTION 74-281 TITLED CLOSURE OF ACCESS FROM WELLS ROAD SOUTH TO SUNSET AVENUE; PROVIDING FOR CLOSURE FROM 9:30 P.M. TO 5:30 A.M. DAILY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, the street ends from Wells Road to Sunset Avenue which includes Wells Road, Dunbar Road and Sunset Avenue, which provide access to the public beach are dedicated to the use of the public; and

WHEREAS, although the Town recognizes the right of the public to use said access points to the public beach, it has become necessary for the safety and protection of Town residents and the public to close said access points from 9:30 P.M. to 5:30 A.M. daily; and

WHEREAS, the Town Council deems it an emergency to provide for said closures immediately upon adoption of this ordinance on first reading.

NOW, THEREFORE, be it ordained as follows:

Section 1. Chapter 74 of the Town's Code of ordinances titled Parks and Recreation is hereby amended to include a new Article V titled Beach Access Closure; including a New Section 74-281 Titled Limited Closure of Access From Wells Road South to Sunset Avenue to read as follows:

1. The beach access areas between Wells Road south to Sunset Avenue at Wells Road, Dunbar Road and Sunset Avenue, shall be closed to the public each day from 9:30 P.M. to 5:30 A.M. the following day.
2. The Town Manager or the Town Manager's designee is authorized to post signs at said access points setting forth the prohibition set forth above.
3. Any person found guilty of a violation of this Section by using such access points during the times of required closure shall be subject to the terms of Section 1-14 of this Code or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement.

Section 2. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. All ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be codified as provided by law.

This ordinance is effective this 9th day of December, 2020 as an emergency ordinance on its first and only reading.

Gail L. Coniglio, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Queenester Nieves, CMC, Town Clerk

Danielle H. Moore Town Council Member