

**ORDINANCE NO. 013-2023**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 106, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES AT ARTICLE II, STREETS TO CREATE A NEW SECTION 106-48 PROHIBITING PERSONS FROM STANDING IN THE PORTION OF, PUBLIC RIGHTS OF WAY, ROADWAYS OR PUBLIC SIDEWALKS OF THE TOWN FOR ANY PURPOSE WHICH IS INTENDED TO OR ACTUALLY INTERRUPTS THE NORMAL FLOW OF VEHICULAR OR PEDESTRIAN TRAFFIC OR FOR THE PURPOSE OF INVITING OR ENTICING A PERSON TO ENTER A COMMERCIAL ESTABLISHMENT ADJACENT TO SAID RIGHT OF WAY, STREET OR SIDEWALK; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

**Section 1** - Chapter I 06, Streets Sidewalks and Other Public Places, Article II, Streets, is hereby amended by including a new section I 06-48 to read as follows:

**Section 106-48. Unlawful Acts Within Public Rights of Way, Roadways and Sidewalks.**

It shall be unlawful for any person to stand in the portion of the public right of way adjacent to a paved roadway or on the roadway paved for vehicular traffic or any public sidewalk of the Town for any purpose which is intended to or actually interrupts the normal flow of vehicular or pedestrian traffic on said public right of way, roadway or public sidewalk or for the purpose of inviting or enticing a person to enter a commercial establishment adjacent to said right of way, street or sidewalk.

**Section 2.** Severability.

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.** Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

**Section 4.** Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

**Section 5.** Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 13<sup>th</sup> day of June, 2023, and for second and final reading on this 11<sup>th</sup> day of July, 2023.

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Danielle H. Moore, Mayor

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Margaret A. Zeidman, Town Council President

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Bobbie Lindsay, Council President Pro Tern

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Julie Araskog, Town Council Member

ATTEST:

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Edward A. Cooney, Town Council Member

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Kelly Churney, Acting Town Clerk

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Lewis S.W. Crampton, Town Council Member