

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 1 ENTITLED "GENERAL PROVISIONS," BY SPECIFICALLY AMENDING SECTION 1-9 ENTITLED "GENERAL PENALTY; CONTINUING VIOLATIONS"; PROVIDING FOR A VIOLATION OF ANY FEDERAL, STATE, COUNTY OR TOWN EMERGENCY ORDER; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission has determined that it is in the Town's best interest to amend the Town's Code of Ordinances to provide for a violation of any Federal, State, County, or Town Emergency Order; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

Section 1. The foregoing "Whereas" clause is hereby ratified and confirmed as being true and correct and is hereby made a part of this Ordinance.

Section 2. The Town Commission of the Town of Hillsboro Beach, Florida hereby amends the Town's Code of Ordinances by amending Chapter 1 entitled "General Provisions," by specifically amending Section 1-9 entitled "General penalty; continuing violations" which shall read as follows:

Sec. 1-9. - General penalty; continuing violations.

(a) Whenever in this Code or in any ordinance of the town any act is prohibited or is made or declared to be unlawful, an offense or a misdemeanor, or whenever in the Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days or by both such fine and imprisonment. Each day any violation of any provision of this Code or of any ordinance shall constitute a separate offense.

(b) It shall be unlawful to violate any Federal, State, County, or Town order which is issued during an emergency when the order is included in any proclamation of emergency and is issued for the purpose of protecting life and property. The violation of any such order shall be punished by a fine of up to \$500.00 per occurrence.

1 **Section 3.** It is the intention of the Town Commission of the Town of Hillsboro Beach,
2 that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances
3 of Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered,
4 re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word
5 or phrase in order to accomplish such intention.
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7 **Section 4.** That all ordinances or parts of ordinances and all resolutions or parts of
8 resolutions in conflict with this Ordinance are repealed to the extent of such conflict.
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10 **Section 5.** If any section, subsection, sentence, clause or provision of this Ordinance is
11 held invalid, the remainder of this Ordinance shall not be affected by such invalidity.
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13 **Section 6.** This Ordinance shall be effective fifteen (15) calendar days subsequent to
14 its passage and adoption by the Town Commission of the Town of Hillsboro Beach.
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16 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO
17 BEACH, FLORIDA, ON **FIRST READING, THIS 5th DAY OF MAY, 2020.**

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO
BEACH, FLORIDA, ON **SECOND AND FINAL READING, THIS 2nd DAY OF JUNE, 2020.**

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21 By: Deborah L. Tarrant
22 Deborah L. Tarrant, Mayor
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25 ATTEST:
26
27 By: Sherry D. Henderson
28 Sherry D. Henderson, CMC
29 Town Clerk
30

ORDINANCE NO. 2020-02

RECORD OF TOWN COMMISSION VOTE:

	<u>YES</u>	<u>NO</u>
MAYOR D. TARRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR I. KIRDAHY <i>Second</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER V. FEAMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER B. BALDASARRE <i>Motion</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER A. BROWN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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33 APPROVED AS TO FORM:

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36 Donald J. Doody
37 Donald J. Doody, Town Attorney
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