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ORDINANCE NO. 2012-263

AN ORDINANCE OF THE OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE" BY SPECIFICALLY AMENDING SECTION 12-142 (B); PROVIDING FOR THE UTILIZATION OF ROOFTOP AREAS FOR RECREATIONAL PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission deems it necessary to provide for the utilization of the rooftop areas for recreational purposes;

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

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

Section 2. Section 12-142 (B) of Chapter 12 entitled "Land Development Code" of the Town of Hillsboro Beach Code of Ordinances is hereby amended to read as follows:

Section 12-142 HEIGHT REGULATIONS.

(B) It is further provided that purely decorative features such as cupolas, tower, railings, not including signs, nor containing any living ~~or recreational~~ areas and not covering more than 20% of the roof area may be erected to an additional height not to exceed 15 feet, provided that the overall height of the building shall not exceed 50 feet.

Section 3. The appropriate members of the Town staff are hereby authorized to take any and all steps necessary to effectuate the intent of this Ordinance.

Section 4. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

