

M E M O R A N D U M

DATE: January 22, 2015

TO: Dave Bullock, Town Manager

FROM: Alaina Ray, AICP, Director
Planning, Zoning and Building

RE: Ordinance 2016-08, Amending Chapter 151, Shoreline Construction

As part of the ongoing effort to evaluate the Town's existing Codes, Staff has identified provisions within Chapter 151, Shoreline Construction, which are problematic regarding implementation and permitting. These provisions are identified within this report, as well as Staff recommendations for Code revisions to address the identified issues. The recommendations provided herein correspond with the revisions provided in the attached Exhibit "A" and are shown in strike-through/underline format. In addition to the revisions described below, Exhibit "A" also includes some minor clean-up of language that is not detailed within this report.

At their January 19th, 2015, Regular Workshop, the Town Commission recommended two revisions related to the proposed 12-inch seawall projection and the increased elevation of the seawall cap. Those changes have been incorporated into this report and the proposed ordinance.

Ordinance 2016-08, with the requested revisions, was forwarded by the Town Commission to their February 1, 2016 Regular Meeting for first reading and public hearing.

Section 151.01 Definitions and Section 151.03(A)(1)

Language related to replacement of seawalls has been refined to better reflect the regulatory requirements of the chapter.

Section 151.03(B)(2):

This Code provision addresses the construction of new seawalls and where new seawalls may be located. Historically, the Town has not allowed new seawalls to be constructed in locations where one did not previously exist unless there are existing seawalls on both adjacent properties. The intent was that the new seawall had to tie into existing seawalls on both ends, so as to prevent the construction of seawalls in areas where they did not already exist and prevent the creep of hardened shorelines. The existing Code provision, however, left room for ambiguity and has been problematic with respect to implementation.

Therefore, the following revision is recommended to clarify the intent and the historic interpretation of the Code:

151.03(B)(2) Along manmade canals, new seawalls will be permitted only where a seawall exists on both sides of the immediate adjoining and adjacent properties and such seawalls abut the subject property at the shared property lines.

Section 151.03(B)(3)(a) and Section 151.03(B)(3)(c):

Town Code allows for the replacement or repair of seawalls and regulates the maximum allowable projection into the waterway for the replaced/repared seawall structure. The additional projection into the waterway beyond the face of the existing seawall is currently limited to a maximum of six (6) inches.

When a seawall begins to fail, it will either kick out at the bottom or tilt out at the top. In order to re-face a seawall, the new panels must be slightly offset from the existing seawall by a few inches. Most modern seawall panels are approximately eight (8) inches deep, which exceeds the maximum projection even if the top or bottom of the existing seawall has not tilted.

Section 151.03(E) authorizes the Town Manager or designee to grant departures to this section when it can be determined that the proposed design meets the intent of Chapter 151. Due to the dimensions of most new panels and the proliferation of aging seawalls that have kicked out at the bottom or tilted at the top, the number of requested departures has increased significantly over the last couple of years. It can often be difficult or impossible to remove the existing seawall due to the potential damage to upland structures, possible damage to adjacent seawalls, collapse of the canal wall, or other potential negative results. The vast majority of the departures that have been granted by the Town Manager or designee have been for a total maximum projection of 12-inches from the existing seawall.

In researching this issue, Staff learned that the State of Florida Department of Environmental Protection, along with Manatee and Sarasota Counties, allow up to an additional 18-inches of projection into the waterway for a replacement seawall. Staff is concerned as to the effects an 18-inch projection would have regarding aesthetics and the navigable width of narrower canals; therefore, Staff considers a 12-inch projection a reasonable standard for re-faced seawalls. As has been repeatedly demonstrated through the departure process, a 12-inch projection would allow owners to make necessary repairs to their seawalls without significant impact on the width of canals or shoreline aesthetics.

Therefore, Staff recommends the following amendments:

151.03(B)(3)(a) Repairs to existing seawalls are permitted provided that all such repairs shall not protrude further seaward than the existing structure, except that a buttress, not to extend more than ~~six~~ 12 inches seaward of the existing seawall or seawall cap, may be erected; This provision to allow a 12 inch projection from an existing seawall may only be used once per property. Once this provision has

been utilized, any future seawall construction, whether new or replacement, for the property shall not be eligible for any additional projection into the canal;

151.03(B)(3)(c) Replacement seawalls are permitted provided that the seawall structure does not protrude further seaward than the structure it is replacing unless there are two seawalls abutting the subject seawall of differing seaward projections. In which case, the replacement of the subject (center) seawall shall result in an increased seaward projection either equal to the abutting seawall with the least projection or an increased seaward projection of ~~six~~ 12 inches, whichever is less. This provision to allow a 12 inch projection from an existing seawall may only be used once per property. Once this provision has been utilized, any future seawall construction, whether new or replacement, for the property shall not be eligible for any additional projection into the canal;

Section 151.03(B)(3)(b):

Some existing seawalls within the Town were built with the top of the seawall at a very low elevation. Some of these properties are now subject to high tide flooding on a regular basis. This saltwater flooding damages landscaping and contributes to the deterioration of the seawalls, as water causes erosion behind the seawall. As such, Staff suggests that existing seawalls with an elevation of three (3) feet (NAVD 1988) or below be allowed to increase the maximum height of the seawall cap when being replaced, in order to bring the wall to a maximum elevation of four (4) feet (NAVD 1988), which would be less susceptible to regular flooding.

Therefore, Staff recommends the following amendment:

151.03(B)(3)(b) Repairs to or replacement of existing seawalls are permitted provided that all such repairs shall not increase the height of the replaced seawall more than six (6) inches. In cases where there are two (2) seawalls abutting the subject seawall of differing heights, repairs to the center seawall, which increases the height of the subject seawall, may increase the height of the seawall to be either even with the highest abutting seawall or an increased height of six (6) inches from its preconstruction height, whichever is less; However, if the height of the existing seawall cap is at or below a three (3) foot elevation (NAVD 1988), the maximum height of the new seawall cap may be increased to a maximum four and one-half (4.5) foot elevation (NAVD 1988). For any increase in seawall height that results in a landward grade change in excess of six (6) inches, a drainage plan will be required that demonstrates the proposed grade change will not result in additional stormwater runoff to adjacent property.

Section 151.04(A) and (B):

The Code contains a property owner notification provision, stipulating that riparian property owners within 1,000 feet of proposed shoreline construction must be notified and have 30 days to provide comment. Alternatively, the applicant could obtain consent

from all property owners within the 1,000-foot notification area. Based on Staff research, it appears this provision was originally adopted in 1965 and has been revised multiple times; however, Staff can find no evidence of this provision actually being applied in at least the last 25 to 30 years, if ever.

Larger shoreline construction projects, such as the adjustable groins recently built by the Town, are required to obtain State and Federal permits that have very effective and inclusive public notification requirements. The Town requires copies of the State and Federal permits to be submitted prior to issuance of a Town permit.

Seawall repair and/or replacement often occurs only after a seawall has failed. Delay in completing repairs while the notification period occurs could potentially result in additional damage to the shoreline and upland structures of both the affected property and neighboring properties.

Staff believes there is value in providing notification to property owners who may be affected by seawall construction, including repair and/or replacement of seawalls, if the construction activity and equipment could result in blocking a canal and preventing navigation to interior canal property owners. However, the existing notification requirement language appears to be inadequate to ensure notification of these properties, in that the current language could easily result in a property owner on a different canal being notified, but property owners on the same canal as the proposed construction not being notified.

Most canals within the Town are wide enough to accommodate both boats and seawall construction equipment. For instance, most canals in the Country Club Shores subdivision are approximately 70 feet in width, which is more than adequate to ensure unobstructed navigation. However, canals in the St. Judes/Jungle Queen area are only approximately 35 feet in width, so there is the potential for temporary obstruction during construction activities. Flexibility in the notification process would allow potentially affected properties to be notified, while preventing potential problematic delays in repair and/or replacement of failing or failed seawalls.

Section 151.04(B) has also been revised to eliminate unnecessary and/or conflicting language regarding the method for application submittal and fee collection.

Therefore, Staff recommends the following amendments:

151.04(A) Applications will be checked by the town manager or designee for completeness prior to processing. Following an office review of the proposed construction, a field investigation will be conducted if indicated by the nature of the project. Riparian property owners ~~within 1,000 feet of the proposed construction will~~ of properties located adjacent to the canal where the work will be performed and whose waterborne ingress and egress access to the canal may be temporarily impaired by the project shall be notified by the town and ~~given 30 days in which to comment applicant by certified mail.~~ The applicant must provide evidence to the town of postmarked receipts prior to issuance of the

permit. The receipts must be postmarked a minimum of seven (7) days prior to the start of construction. This step may be eliminated however, should the applicant elect to submit a signed waiver of objections from each such property owner within 1,000 feet located adjacent to the canal where the work will be performed whose ingress and egress to the canal may be temporarily affected.

~~151.04(B) An processing application fee, payable in advance, will be charged for each application to partly offset costs of investigation and handling. The fee shall be set by resolution of the town commission. An application for contiguous properties may be made jointly by owners. Checks should be made payable to the town.~~

151.05(G):

The existing code requires a cash bond, equal to 125 percent of the estimated project cost, for all shoreline construction. As with the provision discussed previously, this bond requirement seems to have been adopted in 1965 and no evidence can be found that it has ever been applied, especially related to seawalls for single-family homes. As with the notification requirement above, securing a cash bond or letter of credit can take considerable time, which could cause problematic delays when repair and/or replacement of existing failing seawalls is needed. Therefore, should the Town Commission wish to retain this provision, the following revision is offered:

151.05(G) For new shoreline construction, not to include repairs to or replacement of existing seawalls for single-family property, The permittee the applicant agrees to provide the town with an acceptable cash bond or letter of credit in an amount equal to 125 percent of the estimated cost of the project for the period of time as may be required, to guarantee full compliance by the permittee applicant with the provisions, terms and conditions of this permit and agreement. Requirement for the bond may be waived, discontinued at any time, renewed for the successive terms, or kept in force perpetually, at the discretion of the town.



Ordinance 2016-08

Chapter 151: Shoreline Construction

Town Commission
Regular Meeting
February 1, 2016



Background

- Chapter 151 provides for the management and conservation of the Town's shoreline environmental resources by regulating:
 - The installation of seawalls; and
 - Shoreline construction activities along the gulf, bay, canals, passes, and lagoons.
- Multiple requests for administrative departures related to replacement and repair of seawalls prompted a close inspection of the Code, current construction methods and materials, and existing conditions along the Town's canals.
- Staff has identified conflicts between the Town's current regulations and modern seawall replacement construction methods, as well as issues related to the application and permitting process.



New Seawalls

- Historically, the Town has not allowed new seawalls in locations where one did not previously exist, unless there are existing seawalls on both adjacent properties.
- This photo is an example of a canal with both seawalls and natural shorelines.





New Seawalls

- The existing Code provision that addresses new seawalls leaves room for ambiguity and has been problematic with respect to implementation.
- Therefore, the following revision is recommended to clarify the intent and the historic interpretation of the Code:

151.03(B)(2) Along manmade canals, new seawalls will be permitted only where a seawall exists on both sides of the immediate adjoining and adjacent properties and such seawalls abut the subject property at the shared property lines.



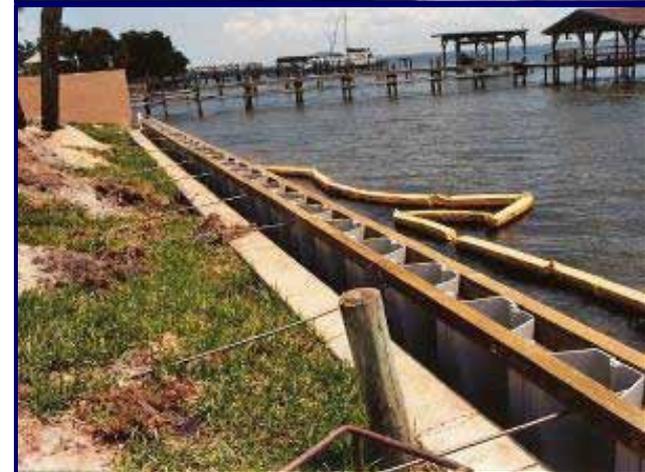
Replacement Seawalls

- Town Code allows for the replacement or repair of seawalls, but limits the allowable projection into the waterway for the replaced/repaired seawall structure to a maximum of six (6) inches beyond the face of the existing seawall.
- When a seawall begins to fail, it will either kick out at the bottom or tilt out at the top. In order to re-face a seawall, the new panels must be slightly offset from the existing seawall by a few inches.
- Most modern seawall panels are approximately eight (8) inches deep, which exceeds the maximum projection even if the top or bottom of the existing seawall has not tilted.



Replacement Seawalls

- Photo at top shows a seawall with a small “kick out” and could be rectified by placing new panels in front of the existing seawall.
- Photo at bottom shows a typical modern seawall replacement process. The new panels exceed the current 6-inch projection allowance.





Replacement Seawalls

- **Section 151.03(E)** authorizes the Town Manager or designee to grant departures when it can be determined that the proposed design meets the intent of Chapter 151.
- Due to the dimensions of most new panels and the proliferation of aging seawalls that have kicked out at the bottom or tilted at the top, the number of requested departures has increased significantly over the last couple of years.
- The vast majority of the departures that have been granted have been for a total maximum projection of 12-inches from the existing seawall.
- Therefore, Staff recommends a revision to **151.03(B)(3)(a)** and **151.03(B)(3)(c)** of the Code to allow a 12-inch projection for re-faced seawalls, **to be allowed only once per property.**



Replacement Seawall Caps

- Town Code regulates the allowable height of a replacement seawall or cap to a maximum of six (6) inches above the existing seawall.
- Some existing seawalls within the Town were built with the top of the seawall at a very low elevation. Some of these properties are now subject to high tide flooding on a regular basis.
- Saltwater flooding damages landscaping and contributes to the deterioration of the seawalls, as water intrusion causes erosion behind the seawall.



Replacement Seawall Caps

- Top photo shows high tide event on lower north end of island. Shell is used behind the seawall due to frequent salt water flooding.
- Bottom photo shows settling and erosion due to water intrusion.
- Staff recommends that existing seawalls with an elevation of three (3) feet (NAVD 1988) or below be allowed to increase the maximum height of the seawall cap when being replaced, in order to bring the wall to a maximum elevation of **4.5 feet** (NAVD 1988), which would be less susceptible to regular flooding.





Seawall Permitting

- The Code contains a property owner notification provision, stipulating that riparian property owners within 1,000 feet of proposed shoreline construction must be notified and have 30 days to provide comment.
- Based on Staff research, it appears this provision was originally adopted in 1965; however, Staff finds no evidence of this provision actually being applied in at least the last 25 to 30 years, if ever.
- Seawall repair and/or replacement often occurs only after a seawall has failed. Delay in completing repairs while the notification period occurs could potentially result in additional damage to the shoreline and upland structures of both the affected property and neighboring properties.
- While not required under Florida Law, Staff believes there is value in providing notification to property owners who may be affected by seawall construction, but the current language could result in a property owner on a different canal being notified, with property owners on the same canal as the proposed construction not being notified.



Seawall Permitting

- Staff recommends the following revision to ensure those property owners who may be affected by seawall construction are notified:
 - **151.04(A)** Applications will be checked by the town manager or designee for completeness prior to processing. Following an office review of the proposed construction, a field investigation will be conducted if indicated by the nature of the project. Riparian property owners ~~within 1,000 feet of the proposed construction will~~ of properties located adjacent to the canal where the work will be performed and whose waterborne ingress and egress access to the canal may be temporarily impaired by the project shall be notified by the town ~~and given 30 days in which to comment~~ applicant by certified mail. The applicant must provide evidence to the town of postmarked receipts prior to issuance of the permit. The receipts must be postmarked a minimum of seven (7) days prior to the start of construction. This step may be eliminated however, should the applicant elect to submit a signed waiver of objections from each such property owner ~~within 1,000 feet located adjacent to the canal where the work will be performed whose ingress and egress to the canal may be temporarily affected.~~



Bond Requirement

- Existing code requires a cash bond, equal to 125 percent of the estimated project cost, for all shoreline construction. As with the notification provision, this requirement seems to have been adopted in 1965, with no evidence that it has ever been applied, especially related to single-family properties.
- Securing a bond can take considerable time, which could cause problematic delays when repair and/or replacement of existing failing seawalls is needed.
- Bond requirements for single-family property owners could present significant hardship. Larger projects are better able to meet this requirement. Therefore, Staff recommends exempting single-family properties from providing a bond.



Seawall Applications

- Currently, the Code allows for multiple adjacent property owners to file one application for seawall construction, repair, or replacement. This is problematic, since each permit must be tied to a specific parcel, not multiple parcels, within the Town's permitting system.
- Joint applications may also present problems concerning inspections and enforcement.
- Therefore, Staff recommends eliminating the allowance for multiple property owners to submit a joint application.

ORDINANCE 2016-08

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 151, SHORELINE CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town recognizes the importance of protecting vital environmental resources; and

WHEREAS, the Town accomplishes the management and conservation of environmental resources, in part, by regulating the installation of seawalls and by regulating coastal construction along the gulf, bay, canals, passes, and lagoons; and

WHEREAS, the purpose of these regulations is to ensure the minimal physical effect on existing shoreline conditions, the maximum protection of natural shore processes, and an ecologically sound method of protecting property; and

WHEREAS, the Town's regulations must occasionally be reevaluated in light of changing environmental conditions and to ensure the regulations comply with best practices; and

WHEREAS, certain current provisions have been identified as being in conflict with other Code provisions, are problematic regarding implementation, and/or do not reflect modern shoreline construction methods; and

WHEREAS, the Town Commission of the Town of Longboat Key finds it is in the best interest of the health, safety, and welfare of the citizens of Longboat Key to modify the Code of Ordinances relating to the subject of shoreline construction.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The above Whereas clauses are true and correct and are hereby ratified and affirmed.

SECTION 2. Chapter 151, Shoreline Construction, Section 151.01, Definitions, is hereby amended as follows:

151.01 - Definitions.

"Replacement." Installation of a new seawall which is the substantial equivalent of the structure being supplanted in its original condition, whether or not the existing seawall is actually removed. ~~If a seawall has collapsed or otherwise lost its structural integrity for a period of greater than six months, an application shall be treated as new seawall construction.~~

SECTION 3. Chapter 151, Shoreline Construction, Section 151.03, Permit Required; Application, subsection (B) Seawall construction, is hereby amended as follows:

(B) Seawall construction.

(2) Along manmade canals, new seawalls will be permitted only where ~~a seawall~~s exist on both sides of the immediate adjoining and adjacent properties and such seawalls abut the subject property at the shared property lines.

(3) Seawall construction within an existing subdivision or developed area shall also comply with the following:

- (a) Repairs to existing seawalls are permitted provided that all such repairs shall not protrude further seaward than the existing structure, except that a buttress, not to extend more than a ~~six~~ 12 inches seaward of the seawall or seawall cap, may be erected; This provision to allow a 12 inch projection from an existing seawall may only be used once per property. Once this provision has been utilized, any future seawall construction, whether new or replacement, for the property shall not be eligible for any additional projection into the canal;
- (b) Repairs to or replacement of existing seawalls are permitted provided that all such repairs shall not increase the height of the replaced seawall more than six ~~(6)~~ (2) inches. In cases where there are two (2) seawalls abutting the subject seawall of differing heights, repairs to the center seawall, which increases the height of the subject seawall, may increase the height of the seawall to be either even with the highest abutting seawall or an increased height of six ~~(6)~~ (2) inches from its preconstruction height, whichever is less; However, if the height of the existing seawall cap is at or below a three (3) foot elevation (NAVD 1988), the maximum height of the new seawall cap may be increased to a maximum four and one-half (4.5) foot elevation (NAVD 1988). For any increase in seawall height that results in a landward grade change in excess of six (6) inches, a drainage plan will be required that demonstrates the proposed grade change will not result in additional stormwater runoff to adjacent property.
- (c) Replacement seawalls are permitted provided that the seawall structure does not protrude further seaward than the structure it is replacing unless there are two seawalls abutting the subject seawall of differing seaward projections. In which case, the replacement of the subject (center) seawall shall result in an increased seaward projection either equal to the abutting seawall with the least projection or an increased seaward projection of ~~six~~ 12 inches, whichever is less. This provision to allow a 12 inch projection from an existing seawall may only be used once per property. Once this provision has been utilized, any future seawall construction, whether new or replacement, for the property shall not be eligible for any additional projection into the canal.

SECTION 4. Chapter 151, Shoreline Construction, Section 151.04, Application Processing Procedure; Processing Fee, subsections (A) and (B), are hereby amended as follows:

- (A) Applications will be checked by the town manager or designee for completeness prior to processing. Following an office review of the proposed construction, a field investigation will be conducted if indicated by the nature of the project. Riparian property owners within 1,000 feet of the proposed construction will of properties located adjacent to the canal where the work will be performed and whose waterborne ingress and egress access to the canal may be temporarily impaired by the project shall be notified by the town and given 30 days in which to comment. applicant by certified mail. The applicant must provide evidence to the town of postmarked receipts prior to issuance of the permit. The receipts must be postmarked a minimum of seven (7) days prior to the start of construction. This step may be eliminated however, should the applicant elect to submit a signed waiver of objections from each such property owner within 1,000 feet located adjacent to the canal where the work will be performed whose ingress and egress to the canal may be temporarily affected.
- (B) An processing-application fee, payable in advance, will be charged for each application to partly offset costs of investigation and handling. The fee shall be set by resolution of the town commission. An application for contiguous properties may be made jointly by owners. Checks should be made payable to the town.

SECTION 5. Chapter 151, Shoreline Construction, Section 151.05, Permit Issuance; Conditions; is hereby amended as follows:

151.05 - Permit issuance; conditions.

The town will issue a permit for shoreline construction if the application is approved by the town manager or designee. The permit issued by the town shall have the following major provisions:

- A) The ~~permittee~~ applicant shall comply with any specific requirements imposed in this case by the town and the agency of the state having jurisdiction, made a part of this permit and agreement.
- (B) The ~~permittee~~ applicant shall in no way obstruct or impair the use of the shore by the public in the area below the mean high-water line, except to a minimum extent determined by the town and by the state agency having jurisdiction to be unavoidable.
- (C) The rights granted by this permit and agreement shall not be construed as a conveyance of title to or a waiver of rights in the sovereignty land held by the trustees and the state.
- (D) The ~~permittee~~ applicant hereby agrees to hold and save the town harmless from any damage to persons or property which might result from the work or activity permitted hereunder.
- (E) The ~~permittee~~ applicant agrees to adjust, alter, or remove any structure or other physical evidence of the work or activity permitted hereunder, as directed by the

town or the state agency having jurisdiction, if in the opinion of the town or the agency the structure, work or activity in question results in damage to surrounding property or otherwise proves to be undesirable or becomes unnecessary. Adjustment, alteration, or removal required under this provision shall be accomplished by the permittee applicant at no cost to the state or town. The decision of the town or state agency as to whether adjustment, alteration or removal is required shall be final; and the town or state agency shall set reasonable time limits within which adjustment, alteration, or removal shall be accomplished.

- (F) This permit and agreement shall be canceled and the permittee applicant directed to remove the structure or other physical evidence of the work or activity permitted hereunder, at the permittee's applicant's expense, on 30 days' written notice from the town or state agency having jurisdiction, if the permittee applicant fails to abide by and live up to the provisions, terms, and conditions of this permit and agreement.
- (G) For new shoreline construction, not to include repairs to or replacement of existing seawalls for single-family property. The permittee applicant agrees to provide the town with an acceptable cash bond or letter of credit in an amount equal to 125 percent of the estimated cost of the project for the period of time as may be required, to guarantee full compliance by the permittee applicant with the provisions, terms and conditions of this permit and agreement. Requirement for the bond may be waived, discontinued at any time, renewed for the successive terms, or kept in force perpetually, at the discretion of the town.
- (H) It is expressly understood that this permit and agreement does not relieve the permittee applicant of responsibility for compliance with all federal and state permitting requirements.

SECTION 6. Chapter 151, Shoreline Construction, Section 151.06, Emergency Permit, is hereby amended as follows:

151.06 - Emergency permit.

The town manager or designee may grant an emergency permit without a formal application, if an emergency exists in the opinion of the town manager or designee, ~~without a formal application therefor~~ but only after he has obtained the verbal or written approval of the state agency having jurisdiction has been obtained. The emergency permit shall be conditioned on the applicant agreeing in writing to hold the town harmless and indemnify the town from any damage to persons or property which might result from the emergency work permitted hereunder and ~~immediately making~~ submitting an application pursuant to this chapter within ten (10) days of issuance of the emergency permit.

SECTION 7. Chapter 151, Shoreline Construction, Section 151.07, Appeal, is hereby amended as follows:

151.07 - Appeal.

Any person who is aggrieved by the determination of the town manager or designee ~~to grant or deny a permit,~~ shall, within 30 days of the determination, petition the

town commission for review. The petition shall briefly set forth the grounds for review. The town commission's factual review shall be limited to the information before the town manager or designee when the decision on the application was made. The town commission shall approve, approve with conditions, or deny the petition. In making its determination, the town commission shall consider the provisions of all applicable town codes (including this Code), state, and federal law.

SECTION 8. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 9. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 10. This Ordinance shall take effect upon second reading and adoption in accordance with law and the Charter of the Town of Longboat Key.

Passed on the first reading the _____ day of _____ 2016.

Adopted on the second reading and public hearing the ____ day of _____, 2016.

Jack G. Duncan, Mayor

ATTEST:

Trish Granger, Town Clerk



End of Agenda Item