



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
Wednesday, June 1, 2022
6:30 P.M.**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE:** A three-minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.
- 6. REPORTS**

Public Safety	Commissioner Murray
Building/Code	Commissioner Skjoldager
Public Works/Parks	Commissioner Cariello
Finance	Vice Mayor Kornijtschuk
Mayor	David Will
Town Clerk	Missy Clarke
Attorney Eschenfelder	
Boards & Committees	
Library Report	
- 7. CONSENT AGENDA**
 - A. Board Regular Meeting Minutes, May 18, 2022**
 - B. Bill List for Day Ending May 27, 2022**
- 8. UNFINISHED BUSINESS**
 - A. Final Reading: Ordinance 2022-07: An Ordinance of the Town of Redington Beach, Florida, Amending Chapter 4 of the Town Code Concerning animals, to Remove Outdated, Preempted, or Unenforceable Provisions and to Incorporate Current State and Federal Law Requirements; Making Related Findings; Providing for Codification, Severability, and an Effective Date.**
 - B. Final Reading: Ordinance 2022-08: An Ordinance of the Town of Redington Beach, Florida, Amending 6-289.1 of the Town Code Regarding De Minimis Variances; Providing for Codification, Severability, and for an Effective Date.**
 - C. Final Reading: Ordinance 2022-09: An Ordinance of the Town of Redington Beach, Florida, Amending 21-31 of the Town Code Concerning Parking Fines; Providing for Codification, Severability, and for an Effective Date.**



9. NEW BUSINESS

- A. Ordinance 2022-10: An Ordinance of the Town of Redington Beach, Florida, Amending 17-1 of the Town Code (Sign Definitions) to Revise the Definition of Vehicle Sign; Making Related Findings; Providing for Codification, Severability, and for an Effective Date.**

10. OTHER BUSINESS

11. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. (F.S 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**



TOWN OF REDINGTON BEACH, FLORIDA
BOARD REGULAR MEETING MINUTES
Wednesday, May 18, 2022
6:30 p.m.

Having been duly advertised as required by law, the **Regular Meeting** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Wednesday, May 18, 2022, 6:30 p.m.**, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach Florida.

Mayor Will called the **Regular Meeting** to order and led the pledge of allegiance.

Roll Call:

	Present	Absent
Commissioner Cariello	X	
Commissioner Murray	X	
Commissioner Skjoldager	X	
Vice Mayor Kornijtschuk	X	
Mayor Will	X	
Town Attorney Eschenfelder	X	
Town Clerk Clarke	X	

Agenda: Mayor Will asked for approval of the agenda. A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Cariello to accept the agenda as presented. No public comment. Motion passed with all ayes.

Public Forum: Tom Dorgan, 16109 3rd Street spoke on Ordinance 2022-05 Parking between Gulf Blvd and 3rd Street. He noted that the ordinance should state up to and including 3rd Street. He also spoke on moving vans and landscape vehicles parked on those streets.

Reports:

Public Safety

- Reported that there were no major crimes last month with only one larceny and three arrests for criminal mischief.

Building/Code

- The online reporting for code violations has been launched and the town has already received submissions.

Public Works/Parks

- Ten of the fifteen valves have been installed and the project is moving along nicely.

Finance

- Reported that the monies in the SNAV fund have been put out to bid and some treasury notes have been purchased.

Mayor

- The turtle presentation was held on Monday and had a good turnout.

Town Clerk

- Nothing to Report

Town Attorney

- Nothing to Report

Boards and Committees

- Fran Massucci, Park Board presented quotes for the decking project at Friendship Park.

Library Report

- Library Director has resigned, and his last day will be this Friday. There was an emergency meeting on Monday to start the process of hiring a new director.

CONSENT AGENDA

A. Board Regular Meeting Minutes, May 4, 2002

B. Bill list ending for Day ending May 13, 2022

A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Cariello to approve the consent agenda as presented. No discussion, no public comment. Motion passed unanimously.

UNFINISHED BUSINESS

- A. Proposal for Deuel & Associates:** Mayor Will stated that this is to have the beach surveyed from 155th Avenue to 164th Avenue for the deputies to have a definitive line of where the owner's property is and where the beach starts. Attorney Eschenfelder noted that this is above the town's purchasing policy, and effort was made to get three bids, but this was the only bid that the town was able to receive. Commissioner Murray noted that this seems to be in line with what a survey would cost for an individual home. Vice Mayor Kornijtschuk asked if they would be physically going to the beach or using satellite images. The town attorney confirmed that they would be using a combination of satellite images as well as physically going to the beach.

Liz Schmidt, 15812 Gulf Blvd asked what the cost of the project is and also asked if they will be coming onto her property. Attorney Eschenfelder noted that per Florida Statute, surveyors are allowed to come onto the property. Ms. Schmidt asked if they will be notified prior to them coming onto the property. Commissioner Murray stated that the town should publish when the surveyors will be starting the work.

Shawn Buending, 15808 Gulf Blvd, asked who is going to verify the survey.

A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Cariello to accept the bid from Deuel and Associates not to exceed \$6,500.00. Motion passed with all ayes by Roll Call Vote.

	Motion	Second	Aye	Nay	Absent
Commissioner Cariello		X	X		
Commissioner Murray			X		
Commissioner Skjoldager			X		
Vice Mayor Kornijtschuk	X		X		
Mayor Will			X		

NEW BUSINESS

NONE

Other Business

Commissioner Murray had a question on the valve installation and the water in the streets this last week with the high tide. Commissioner Cariello said he is working with Aqua-Nautic and ten of the fifteen valves have been installed but they are not yet completed and that they need to be sealed. Commissioner Murray also stated that a maintenance program will need to be put in place for the project.

Mayor will reported that the town had went out to bid for the swales and the bid came in at \$10,500 from Errol Ayuso and he has increased the bid by \$2,000.00. Attorney Eschenfelder explained why the commission can still take this bid as the bid is still under the other bids received. The consensus of the commission is to approve the \$2,000.00 increase in the bid. Mayor Will noted that Errol Ayuso is ready to start the project.

Mayor Will also reported that the article in the Beach Beacon last week was inaccurate and misleading. He noted that he spoke with the reporter and encouraged him to attend the meetings in person. The paper stated they were going to have a retraction but has not seen one at this time.

Shawn Buending, 15808 Gulf Blvd, spoke on dogs on the beach, policing of dogs on the beach, a flying parachute with a motor landing on the beach, boats docking on the beach, non-residents signs at the beach accesses and fireworks on the 4th of July.

Wendy Fields, 15810 Gulf Blvd, spoke on putting up signs at the beach accesses that no fire works are allowed.

With no further business, a motion was made by Vice Mayor Kornijtschuk and seconded by Commissioner Cariello to adjourn. Regular meeting was adjourned at 7:15 p.m.

Adopted: May , 2022

Missy Clarke, CMC, Town Clerk

Date: 05/27/2022

Time: 10:29 am

Page: 1

Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 General Fund							
Dept: 512 Town Clerk							
101-512-512.410 Telephone							
	CHARTER COMMUNICATION	056775401050922	5/8/22-6/7/22	0	05/09/2022	05/09/2022	199.96
							199.96
101-512-512.411 Internet Services							
	CHARTER COMMUNICATION	056775401050922	5/8/22-6/7/22	0	05/09/2022	05/09/2022	147.97
							147.97
101-512-512.490 Advertising							
	TIMES PUBLISHING COMPAI	226231	Ord. 2022-07	0	05/18/2022	05/18/2022	70.00
	TIMES PUBLISHING COMPAI	226226	Ord. 2022-09	0	05/18/2022	05/18/2022	70.00
	TIMES PUBLISHING COMPAI	226230	Ord. 2022-08	0	05/18/2022	05/18/2022	70.00
							210.00
101-512-512.510 Office Supplies							
	APEX OFFICE PRODUCTS	2334911-0	Can liners, paper towels	0	05/18/2022	05/18/2022	79.26
							79.26
							Total Dept. Town Clerk: 637.19
Dept: 514 Legal Counsel							
101-514-514.310 Legislative Coun:							
	SHUMAKER ADVISORS FLOI	1859	April 2022-Consulting	0	05/01/2022	05/01/2022	2,540.67
							2,540.67
							Total Dept. Legal Counsel: 2,540.67
Dept: 524 Protective Services							
101-524-524.310 Code Enforcement							
	PINELLAS COUNTY SHERIFF	1159091	April 2022 Code Enf.	0	05/12/2022	05/12/2022	2,091.60
							2,091.60
							Total Dept. Protective Services: 2,091.60
Dept: 539 Department of Public Works							
101-539-539.440 P/W Utilities							
	DUKE ENERGY	9100-8701-8726	2022-05-13 4/13/22-5/11/22	0	05/13/2022	05/13/2022	107.99
							107.99
							al Dept. Department of Public Works: 107.99
Dept: 572 Parks and Recreation							
101-572-572.430 Utilities							
	DUKE ENERGY	9100-8701-8924	2022-05-13 4/13/22-5/11/22	0	05/13/2022	05/13/2022	33.17
							33.17
101-572-572.462 Maintenance - Gr							
	HOME DEPOT CREDIT SERV	013299/4632984	Tarps for sand pile	0	05/13/2022	05/13/2022	123.96
	HOME DEPOT CREDIT SERV	020686/7513582	Part for shower	0	05/20/2022	05/20/2022	3.86
	MOST DEPENDABLE FOUNT	INV68392	Showr repir kit	0	05/16/2022	05/16/2022	839.00
	QFC SUPPLY	15-14123	Dog waste bags-4000	0	05/18/2022	05/18/2022	133.00
							1,099.82
101-572-572.521 Twin Towers Ope							
	FLORIDA MONUMENT	220501	2 bricks-KLINGEL	0	05/03/2022	05/03/2022	68.00
							68.00
101-572-572.522 Gasoline & Oil							
	WEX BANK	136788	Unleaded	0	05/25/2022	05/25/2022	152.91
	WEX BANK	138529	Unleaded	0	05/26/2022	05/26/2022	61.57
							214.48

Date: 05/27/2022
Time: 10:29 am
Page: 2

Date: 05/27/2022
Time: 10:29 am
Page: 2

[illegible]

5/18/2022

10380 PAYROLL	197.05
10381 PAYROLL	277.05
10382 PAYROLL	277.05
10383 PAYROLL	277.05
10384 PAYROLL	461.75
10385 PAYROLL	2,435.92
10386 PAYROLL	1,431.39
10387 PAYROLL	1,400.31
10388 PAYROLL	1,093.09
EFT Payroll Liabilities	3,783.87
EFT Retirement	1,674.59
	13,309.12

MAYOR WILL

COMMISSIONER KORNIJTSCHUK

COMMISSIONER SKJOLDAGER

COMMISSIONER MURRAY

ATTEST:

COMMISSIONER CARIELLO

Missy Clarke, CMC, Town Clerk

Regular Meeting of June 1, 2022

ORDINANCE NO. 2022 - 07

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING CHAPTER 4 OF THE TOWN CODE CONCERNING ANIMALS TO REMOVE OUTDATED, PREEMPTED OR UNENFORCABLE PROVISIONS AND TO INCORPORATE CURRENT STATE AND FEDERAL LAW REQUIREMENTS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach (the Town) has codified its ordinances over time into a Town Code (the Code) which sets forth the cumulative law of the Town; and

WHEREAS, the Town Board of Commissioners (the Commission) regularly adopts ordinances amending the Code; and

WHEREAS, however, many portions of the Code date back to 1980, with other portions of the Code not having been updated for ten or more years; and

WHEREAS, part of the Commission's duties include the necessity to ensure that the Town's ordinances, as codified in the Code, are up to date, reflect current Florida and federal statutory and case law, that they reflect current actual Town operations, and that they do not contain outdated, redundant or erroneous provisions; and

WHEREAS, in light of the foregoing, the Commission has charged the Town Attorney with the task of conducting a complete review of the Town's Code (excluding the Land Development Code) and to bring forward any recommended revisions to the Code which would alleviate any of the aforementioned potential concerns with the Code's current text; and

WHEREAS, the Town Attorney has submitted his assessment of Chapter 4 of the Code, and has recommended that the Commission make the revisions to that Chapter as are set forth in this Ordinance; and

WHEREAS, the Commission has considered the Town Attorney's recommendations and finds them to be consistent with the goals of the Commission; and

WHEREAS, the Commission therefore finds that it is in the best interests of the Town, and its citizens, property owners and businesses to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Sections 4-4 and 4-6 of the Redington Beach Town Code, respectively entitled *Responsibility for animals* and *Nuisance animals*, are hereby repealed in their entirety.

The Codifier shall show these sections as reserved for future use.

Section 2. Sections 4-1 through 4-3, and Section 4-8 of the Redington Beach Town Code are hereby amended to read as follows:

Sec. 4-1. - Town designated bird sanctuary.

The entire area embraced within the corporate limits of the town is designated as a bird sanctuary. To the extent the Florida Fish and Wildlife Conservation Commission establishes the town as a bird sanctuary, the town shall comply with the requirements set out in Florida Administrative Code § 68A-19.002.

Sec. 4-2. - Hunting or molesting birds.

- (a) It shall be unlawful to trap, hunt, shoot or attempt to trap, hunt, shoot or molest in any manner any bird or wild fowl, or to rob bird nests or wild fowl nests except as may be authorized by rules of the Florida Fish and Wildlife Conservation Commission, as authorized by Florida Statutes § 379.104 (the Right to Hunt Act).
- (b) Notwithstanding the foregoing, pursuant to Florida Administrative Code § 68A-4.001(9), starlings may be taken throughout the year.~~If starlings or similar birds are found to be congregating in such numbers in a particular locality within the town that they constitute a nuisance or menace to health or property in the opinion of the board of commissioners, the board of commissioners shall meet with representatives of the Audubon Society, Bird Club, Garden Club or Humane Society, or representatives of as many of such groups as are found to exist within the town, after having given at least three days' actual notice of the time and place of the meeting to the managing officers in such clubs. If, after such meeting, no satisfactory remedy is found to abate such nuisance, the birds may be destroyed in such numbers and in such manner as is deemed advisable by the board of commissioners, under the supervision of the employees of the town designated for such purpose by the board of commissioners.~~

Sec. 4-3. - Animals prohibited at beaches, parks and recreation areas.

- (a) It is unlawful for any person to bring or have or ride or allow on any beach or in the water adjacent thereto any animal.
- (b) It shall be unlawful for any person to bring or have or ride or allow on town-municipally ~~owned~~ parks or recreation areas any animal. The town shall post notice of the restriction in this section at the entranceway of each town-municipal ~~park~~ or recreation area, and, if there is no designated entranceway, at any other location convenient to public observation. Notwithstanding the foregoing, the town may, from time to time, permit leashed dogs to be present on certain portions of town-owned park or recreation areas. Such dog-friendly areas will be posted with appropriate signage.

(c) Nothing herein shall preclude a person from using or training a service animal (defined by 28 C.F.R. § 35.104 as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability) in the open green spaces of the park as provided for in Florida Statute § 413.08. Any person in possession of such animal is responsible for controlling the animal and cleaning up and properly disposing of any waste. At no time shall such animals be left unattended. Pursuant to Florida Statutes § 413.08(9), any person who knowingly and willfully misrepresents herself or himself, through conduct or verbal or written notice, as using a service animal and being qualified to use a service animal or as a trainer of a service animal, commits a misdemeanor of the second degree.

Sec. 4-8. - Maximum number of dogs and cats.

It shall be unlawful to keep, maintain, possess or harbor on any premises within the town more than any combination of six three dogs and three cats. ~~See Pinellas County Code, article II, animal control, section 14-26 through 14-64, as amended from time to time.~~

Section 3. For purposes of codification of any existing section of the Redington Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Sections 1 through 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 4th day of May, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ___ day of _____, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

David Will, Mayor

Attest:

Missy Clarke, CMC, Town Clerk

ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA,
AMENDING § 6-289.1 OF THE TOWN CODE REGARDING DE MINIMIS
VARIANCES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND
FOR AN EFFECTIVE DATE.**

WHEREAS, § 6-289.1 of the Town Code authorizes the building code administrator to grant de minimis variances where the criteria set forth in that section have been established by the applicant; and

WHEREAS, the building code administrator recently was faced with an application for a de minimis variance for new home addition but where the variance was necessitated by the pre-existing conditions of the original residential structure; and

WHEREAS, the building code administrator, with advice of the Town Attorney, eventually concluded he had the authority to grant the variance, but nevertheless has recommended the code be clarified to confirm such authority regarding new construction exists; and

WHEREAS, the Board of Commissioners agrees that clarification of the Code regarding the building code administrator's authority to grant de minimis variances is in the best interests of the Town and those seeking to improve properties within the Town.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Section 6-289.1 of the Redington Beach Town Code is amended as follows:

Sec. 6-289.1. – De minimis variances, approval by the building code administrator.

(a) Statement of purpose and intent. The town recognizes that:

- (1) De minimis discrepancies may exist between code-compliant construction and actual construction; and
- (2) Therefore situations exist wherein a structure exists that is nonconforming pursuant to the Town's Code; and
- (3) Such nonconformity may occur with respect to setbacks, vertical features in required setbacks, landscaping, lot grading or elevations, utility connections, or other requirements of the town's land development and related regulations; and
- (4) There is a rebuttable presumption that said discrepancies are the result of errors in the design, construction and/or permit administration processes and are not the result of malfeasance; and
- (5) Said rebuttable presumption may be overcome only by clear and convincing evidence of malfeasance; or

- (6) Said de minimis discrepancies are the result of code changes since an existing building was constructed; and
 - (7) In the absence of malfeasance in the creation of the de minimis discrepancy, it is in the public interest to waive strict compliance with the relevant codes or to allow property improvements that incorporate the de minimis discrepancy; and
 - (8) It is in the public interest that said de minimis variances may be granted by the building code administrator without the need for a full board of adjustment proceeding.
- (b) De minimis variance defined. For the purposes of this Code, a de minimis variance is a variance relating to new or existing construction related activities which does not exceed 12 inches for setbacks and accessory structure heights, or one percent for all other measurements including those pertaining to lot dimensions or area. All prohibitions on the granting of variances contained in subsection 6-289(d) above are applicable to de minimis variances.
- (c) Criteria for granting a de minimis variance. A de minimis variance is intended to provide relief as to new or existing construction related activities when the literal or strict enforcement of the provisions of the Town's land development and related regulations causes unusual, exceptional, unnecessary difficulties or hardship because of the size of the tract, parcel or lot, the topography, the condition or nature of adjoining areas or the existence of other unusual physical conditions, including existing construction features. In such circumstances, the building code administrator, after conferring with the building commissioner may grant a de minimis by submitting to the town clerk, a memorandum making the following findings:
- (1) The variance request complies with the requirements of Code subsection 6-289(b)(3);
 - (2) The structure or use which is the subject of the requested variance or which is the cause of the requested variance at issue was constructed or commenced lawfully and with the proper permits. In the event that the town records are incomplete or unclear with respect to the previous construction activity, there is a rebuttable presumption that said activity was lawfully commenced and completed in accordance with all requisite permits and in compliance with all applicable codes and laws;
 - (3) Such a variance would not be contrary to the public interest or give special benefit to the property owner requesting such a variance; and
 - (4) The variance, if granted, would not be in violation of the town's comprehensive plan.
- (d) Appeals from the grant or denial of a de minimis variance. Denial of a de minimis variance may be appealed to the board of adjustment subject to the variance criteria set forth in subsection 6-289(b). When a de minimis variance is granted by the building code administrator any "person affected" by the grant of said variance may, within 21 days of

the grant of the de minimis variance, appeal the granting of the variance to the board of adjustment as provided for in subsection 6-289(c) of the Town Code. A "person affected" by the grant of a de minimis variance is a person who would be entitled to notice of a board of adjustment hearing on a non-de minimis variance pursuant to Code subsection 6-290(b). No other person shall have standing to appeal the granting of a de minimis variance.

Section 2. For purposes of codification of any existing section of the Redington Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the __ day of May, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the __ day of _____, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Melissa Clarke, Town Clerk

ORDINANCE NO. 2022-09

**AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA,
AMENDING § 21-31 OF THE TOWN CODE CONCERNING PARKING
FINES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR
AN EFFECTIVE DATE.**

WHEREAS, § 21-31 of the Town Code sets forth a variety of fines for violations of various parking and vehicular-related regulations set forth in Chapter 21 of the Town Code; and

WHEREAS, the Board of Commissioners recently amended § 21-33 of the Town Code related to resident only parking rules and in those amendments increased the fine for parking at Beach Park or in a residential permit only space without permit; and

WHEREAS, a fine for such violations is also set forth in § 21-31 and is now inconsistent with the new fine set forth in § 21-33 as amended; and

WHEREAS, the Board of Commissioners desires to remove the duplicate locations for fines for the same violation.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Section 21-31 of the Redington Beach Town Code is hereby amended as follows:

Sec. 21-31. – Fines.

- (a) Unless a different fine is provided for in F.S. ch. 318, for a violation of section 21-30, the applicable fines shall be:
- (1) ~~Parking at Beach Park or other designated areas without a current residential decal~~\$50.00
 - (12) Double parking
 - (23) Parking in spaces designated for people who have disabilities in violation of F.S. § 316.1955
 - (34) Parking a motor vehicle with its left side to curb, parking parallel in a diagonal space, or parking more than the maximum allowed distance from the curb
 - (45) Key or key fob left in unattended vehicle
 - (56) Motor running in unattended vehicle
 - (67) Parking in no parking zone, includes but is not limited to parking at or near fire hydrant, parking in reserved space, parking on sidewalk, parking on or

near intersection, blocking a driveway, parking in loading zone, or parking over curb in park\$50.00

(78) Odd-numbered address side parking\$50.00

- (b) Unless a different fine is provided for in article III of this chapter, the fine for any other violation listed in section 21-32 is \$50.00

Section 2. For purposes of codification of any existing section of the Redington Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ___ day of May, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ___ day of _____, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Melissa Clarke, Town Clerk

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING § 17-1 OF THE TOWN CODE (SIGN DEFINITIONS) TO REVISE THE DEFINITION OF VEHICLE SIGN; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, the Town adopted its current sign code on February 17th 2021 via Ordinance 2019-07; and

WHEREAS, the Town revised its vehicle sign regulations in Ordinance 2022-01 to clarify the size of a vehicle sign, and to provide that vehicle signs visible from a street or right-of-way may not be displayed in the Town between sundown and sunrise; and

WHEREAS, the Town Commission has determined that the current vehicle sign regulations do not sufficiently express the intent of the Town's Board of Commissioners with respect to the display of vehicle signs within the Town in that the intent of the regulations are related to all signs, not just commercial ones; and

WHEREAS, the Town Commission has asked the Town Attorney to revise the relevant section of the Code to ensure the Commission's intent with respect to vehicle sign displays is correctly stated; and

WHEREAS, the Board of Commissioners has determined that it is in the interest of the public health, safety, welfare, and community aesthetic to prohibit vehicle signs within the Town in the manner set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. the definition of Vehicle Sign in § 17-1 of the Redington Beach Town Code is hereby amended to read as follows:

Sec. 17-1. – Definitions.

Vehicle sign means a sign which covers more than one and one half square feet of the vehicle, ~~which identifies a business, products, or services, and~~ which is attached to, mounted, pasted, painted, or drawn on a motorized or drawn vehicle, and is parked and visible from the public right-of-way.

Section 2. For purposes of codification of any existing section of the Redington Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ____ day of _____, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Missy Clarke, CMC, Town Clerk