

ORDINANCE 2014-12

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, IMPOSING A MORATORIUM ON THE ERECTION OR ESTABLISHMENT OF OBSTRUCTIONS IN ANY RIGHT OF WAY, OR WITHIN 8 FEET OF THE EDGE OF ANY ROAD, WITHIN ST. LUCIE VILLAGE, AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, there are public bi-directional rights-of-way within the existing boundaries of the Town of Saint Lucie Village, Florida, where the width of the existing right-of-way and or pavement is less than that recommended by the Florida Department of Transportation;

WHEREAS, the residents of St. Lucie Village have opposed widening these narrow roads in the past;

WHEREAS, there are residents abutting such rights-of-way who have placed temporary or permanent improvements (obstructions) such as lawn ornaments, lawn furniture, fences, posts, and other similar type of obstructions, inside and along the public right-of-way currently held by the Town of St. Lucie Village;

WHEREAS, these improvements interfere or have the potential to interfere with the flow of traffic along these bi-directional public right-of-ways; and, such interference is injurious to the overall health, safety and public welfare of the citizenry of the Town of St. Lucie Village, Florida;

WHEREAS, it appears to the Board of Aldermen of the Town of St. Lucie Village, that amending the Zoning Ordinance of the Town of St. Lucie Village to address obstructions in and near public rights-of-way is appropriate and necessary; and

WHEREAS, the Board has considered draft Ordinance 2014-8 which is an ordinance of the Town of St. Lucie Village, Florida, amending the 1995 Zoning Ordinance by adding Section 3.13.0, et. seq., prohibiting obstructions in and near public rights-of-way, and providing for permitting, buffer zone and grandfathering, and providing for an effective date, and

WHEREAS, the issue is of significant concern and the Board has concluded that additional study and consideration is needed before adopting any particular regulations, and

WHEREAS, during the additional study and consideration, and in order to prevent the occurrence of additional obstructions, it is necessary to establish a moratorium which prevents the establishment of the same during this period, and

WHEREAS, the Board of Aldermen of the Town of St. Lucie Village finds and declares the need to temporarily prohibit all such obstructions.

NOW, THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida hereby ordains:

1. That a moratorium is hereby established prohibiting the erection of any obstructions in any right of way, or within 8 feet of the edge of pavement, or the improved surface if other than pavement, of any road within St. Lucie Village.
2. That this ordinance and moratorium shall expire on the earlier of 12 months from the effective date of this ordinance or upon the effective date of an amendment to the St. Lucie Village Zoning Ordinance addressing the issue, or upon a vote of the Board of Aldermen of St. Lucie Village to end the moratorium.
3. The moratorium and ordinance may be extended by further vote of the Board of Aldermen.
4. This ordinance shall become effective immediately upon passage or as soon thereafter as is permissible by law.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this 18<sup>th</sup> day of November, 2014.

APPROVED:  
BOARD OF ALDERMEN OF THE TOWN OF  
ST. LUCIE VILLAGE, FLORIDA

By: William G. Thiess  
William G. Thiess, Mayor

ATTESTED:

By: Diane C. Orme  
Diane C. Orme, Clerk

I, DIANE C. ORME, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance 2014-12 which was duly introduced, read and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this 18<sup>th</sup> day of November, 2014.

Diane C. Orme  
DIANE C. ORME, CLERK