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2 **ORDINANCE NO. 2023-02**

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4 **AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA**  
5 **AMENDING CHAPTER 134 OF THE CITY OF EDGEWOOD CODE OF**  
6 **ORDINANCES REGARDING RULES AND REGULATIONS FOR BOAT**  
7 **HOUSE/DOCK CONSTRUCTION IN RESIDENTIAL DISTRICTS;**  
8 **PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;**  
9 **PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN**  
10 **EFFECTIVE DATE**

11  
12 **WHEREAS**, the City of Edgewood Code of Ordinances includes rules and regulations as  
13 to where and how boat docks and houses may be constructed; and

14 **WHEREAS**, City Council amended Chapter 14 of the City of Edgewood code of  
15 ordinances regarding rules and regulations for boat dock/house construction with Ordinance 2022-  
16 11;

17 **WHEREAS**, there is a need to provide consistency in other sections of the Code that  
18 references boat dock/house construction;

19 **WHEREAS**, the Planning and Zoning Board has reviewed this Ordinance and  
20 recommended to the City Council approval of same; and

21 **WHEREAS**, the City Council finds the amendments contained herein are reasonable and  
22 appropriate and in the best interest of the health, safety, and welfare of the residents of the City of  
23 Edgewood; and

24 **WHEREAS**, deletions are identified herein by ~~striketrough~~, additions are identified by  
25 underscore.

26 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
27 **OF EDGEWOOD, FLORIDA as follows:**

28 **Section 1:** The recitals set forth above are hereby adopted as findings of the City  
29 Council.

30 **Section 2:** Code Section 134-219 (2), "Uses permitted" in the R-1-AAA, R-1AA, or R-1-  
31 A and Code Section 134-255(3), "Permitted Uses" in the R-2 are hereby amended to read as  
32 follows:

33 **Sec. 134-219 (2)** Boathouses and boat docks as accessory uses providing the roof of  
34 said boathouse does not exceed ~~13~~ 15 feet above the designated control height of the applicable  
35 lake. No boathouse or boat dock may be used for residential purposes. Regulations regarding  
36 the construction of boathouses and boat docks shall be promulgated by the city council from  
37 time to time.

38 **Sec. 134-255 (3)** Boathouses and boat docks, provided the roof of the boathouse does not  
39 exceed ~~13~~ 15 feet above the normal high water elevation. No boathouse or boat dock may be

40 used for residential purposes. Regulations regarding the construction of boathouses and boat  
41 docks shall be promulgated by the city council from time to time.

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43 **Section 3:** Conflicts. All ordinances or parts thereof in conflict herewith are hereby  
44 repealed to the extent of such conflict.

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46 **Section 4:** Severability. If any section, paragraph, subsection, sentence, clause, phrase or  
47 portion of this ordinance is for any reason held invalid or unconstitutional by any court of  
48 competent jurisdiction, such portion shall be deemed a separate, distinct, and independent  
49 provision and such holding shall not affect the validity of the remaining portions hereof.

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51 **Section 5:** Codification. The provisions of this Ordinance shall be codified as and become  
52 and be made a part of the *Code of Ordinances of the City of Edgewood*. The Sections of this  
53 Ordinance may be renumbered or relettered to accomplish such intention and the word  
54 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.  
55 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

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57 **Section 6:** This ordinance shall take effect immediately upon its adoption.

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59 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the City Council  
60 of the City of Edgewood, Florida.

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63 PASSED ON FIRST READING: \_\_\_\_\_

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65 PASSED ON SECOND READING: \_\_\_\_\_

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68  
69 \_\_\_\_\_  
Richard A. Horn, Council President

70 *ATTEST:*  
71  
72 \_\_\_\_\_  
73 Sandy Riffle  
74 City Clerk  
75