

ORDINANCE NO. 28-22

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, "STREETS AND SIDEWALKS," SECTION 102.25, "RECOMMENDATION AND DESIGNATION OF NAMES AND NUMBERS FOR STREETS", TO AMEND THE TITLE OF THE SECTION, , EXPAND THE INTENT TO INCLUDE THE NAMING OF ALLEYS AND OTHER PATHWAYS, AND REFER TO THE ADDRESSING AND STREET NAMING MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Delray Beach adopted the "City of Delray Beach Addressing and Street Naming Manual" ("Manual") on August 9, 2022, via Resolution No. XX-22 to ensure consistent naming of streets, alleys, or other pathways, and numbering of properties, buildings, and their associated suites and units; and

WHEREAS, this Ordinance amends the City Delray Beach Code of Ordinances to acknowledge the Manual and clarify the process by which streets, alleys, or other pathways are reviewed and approved; and

WHEREAS, this Ordinance is enacted pursuant to the home rule powers of the City of Delray Beach as set forth in Article VIII, Section 2, of the Constitution of the State of Florida, Chapter 166, *Florida Statutes*, and other applicable controlling laws; and

WHEREAS, the City Commission deems approval of this Ordinance to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitations set forth above are incorporated herein.

Section 2. Chapter 102, "Streets and Sidewalks," Section 120.01, "Recommendation and Designation of Names for Streets," of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

Sec. 102.25. - ~~RECOMMENDATION AND DESIGNATION OF NAMES AND NUMBERS FOR STREETS, ALLEYS, OR OTHER PATHWAYS.~~

It shall be the duty of the City Planning and Zoning Board to recommend the designation of names ~~and numbers~~ for streets, alleys, or other pathways providing access for either vehicles, bicycles, or

pedestrians, whether it is the establishment of or change in name, and It shall be the duty of the Commission of the City to ~~finally~~ determine the final designation of names ~~and numbers~~ for streets, alleys, or other pathways providing access for either vehicles, bicycles, or pedestrians, and the Commission shall not be bound by the recommendation of the Planning and Zoning Board. The naming of all streets, alleys, or other pathways shall be made in accordance with the adopted City of Delray Beach Addressing and Street Naming Manual.

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. Specific authority and direction are hereby given to the City Clerk to codify this Ordinance.

Section 6. That this Ordinance shall become effective immediately upon its passage on second and final reading and shall apply to all existing and future applications for permits.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____, 2022.

ATTEST:

Katerri Johnson, City Clerk
First Reading _____
Second Reading _____

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney