

ORDINANCE NO. 230

ORDINANCE OF THE TOWN OF WEST MIAMI
PROHIBITING OBSTRUCTIONS WITHIN RIGHTS-
OF-WAYS OF STREETS AND PROVIDING PENAL-
TIES FOR VIOLATIONS THEREOF

WHEREAS, the areas of streets and highways between sidewalks on each side thereof, commonly known as parkways, are part of the right-of-way and available to the town for traffic and parking purposes; and,

WHEREAS, many residents have developed and landscaped parkways adjacent to their homes and have extended the landscaping out into the area normally used for parking and have placed concrete buttons or rocks in said parking area to protect the lawns and landscaping; and,

WHEREAS, such concrete buttons, rocks and other obstructions constitute a hazard to vehicles and a danger to children and further constitute a violation of the rights of persons lawfully using the streets and highways:

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF WEST MIAMI, FLORIDA:

Section 1. Obstruction of Streets Prohibited - No person, firm, company or corporation shall place rocks, concrete blocks or portions thereof, stones, bricks, metal objects or any other similar obstruction within the right-of-way of the streets or highways of the town, nor shall any property owner suffer or permit any such concrete blocks or portions thereof, rocks, stones, bricks, metal objects or any other similar obstructions to be placed or remain within the right-of-way of any street or highway within the town.

Section 2. Certain Markers Allowed in Portions of Parkway. Concrete buttons or markers not over six (6) inches in height, rounded and without sharp or jagged edges may be placed within the parkway, provided said buttons must be at least twenty-four (24")

inches apart and set back at least two (2) feet from the edges of the pavement of the street or highway. Such buttons may not be placed so as to interfere with the ingress and egress of an automobile for parking purposes, nor may such buttons be placed so as to interfere with or prevent parking in the parkways. Such buttons may not be placed so as to block or interfere with the ingress and egress of adjacent residents to and from the property of such adjacent residents.

Section 3. Penalties - Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not exceeding Fifty Dollars (\$50.00) or be imprisoned in the Town jail for a period not exceeding ten (10) days, or be both so fined and imprisoned. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 4. Separability - If any portion of this ordinance shall, for any reason, be declared invalid, such invalidity shall not affect the remaining provisions hereof.

Section 5. Ordinances in Conflict, Repeal - All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Effective Date - This ordinance shall become effective and enforceable on January 1st, 1960.

PASSED AND ADOPTED at West Miami, Florida, this 16th day of December, 1959.

Attest:

Mildred Davis
Town Clerk

Matthew M. Slepian
President of the Town Council

Approved:

Edmund Cooper
Mayor