

Agenda Item No. R - 6

VILLAGE OF ROYAL PALM BEACH

Agenda Item Summary

AGENDA ITEM: First reading and approval of Ordinance No. 825 amending Chapter 11 by modifying sub-section (c) at Section 11-3 entitled "Remote Control Access to Gated Communities". Second reading and adoption is scheduled on September 10, 2009.

ISSUE: This Ordinance is being proposed to modify this section to allow authorization for other persons designated by the Village providing essential services to gain access to any gated community within the Village to perform their required duties, including but not limited to, the duties of public safety personnel in accordance with the law.

RECOMMENDED ACTION: Motion to Approve

Initiator	Village Manager Approval	Agenda Date	Village Council Action
Senior Planner		08/20/09	

ORDINANCE NO. 825

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 11. FIRE PREVENTION AND PROTECTION. AT ARTICLE I. IN GENERAL. AT SEC. 11-3. REMOTE ACCESS TO GATED COMMUNITIES. BY REPEALING SUB-SECTION (c) AND READOPTING IT TO PROVIDE ACCESS TO SUCH COMMUNITIES BY VILLAGE DESIGNATED PERSONS OTHER THAN FIRE, FIRE/RESCUE, POLICE SERVICE PROVIDERS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 11. FIRE PREVENTION AND PROTECTION. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Village Council of the Village of Royal Palm Beach desires to ensure that essential services, life safety and police protection responses are not hampered by lack of access to gated communities; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to adopt this amendment order to best provide for the health, safety and welfare of the citizens of the Village of Royal Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 11. Fire Prevention and Protection. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Article I. In General. at Sec. 11-3. Remote access to gated communities. by repealing Sub-section (c) and readopting it to provide access for additional authorized persons; providing that Sec. 11-3 shall hereafter read as follows:

Sec. 11-3. Remote access to gated communities.

(a)—(b) (Shall remain the same as previously adopted.)

(c) Public safety personnel (Fire, Fire/Rescue, Police, etc.) and other persons designated by the Village as persons providing essential services shall be authorized to gain access to any gated community within the Village to perform their required duties, including but not limited to, the duties of ~~such~~ public safety personnel in accordance with law.

(d) (Shall remain the same as previously adopted.)

Section 2: Each and every other section and sub-section of Chapter 11. Fire Prevention and Protection. shall remain the same as previously adopted.

Section 3: All Ordinances or parts of Ordinances in conflict 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 of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon passage.

FIRST READING this 20th day of August, 2009.

SECOND AND FINAL READING this 10th day of September, 2009.

VILLAGE OF ROYAL PALM BEACH

DAVID A. LODWICK, MAYOR

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

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