

Town of Milton

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ORDINANCE NO. 2015-006

AN ORDINANCE TO AMEND TOWN CODE, CHAPTER 220, ENTITLED "ZONING" REGARDING A BUFFER FROM CERTAIN BODIES OF WATER

WHEREAS, the Town Charter of the Town of Milton authorizes the Town Council to provide for and preserve the health, cleanliness, ornament, good order and public welfare of the Town, its inhabitants and affairs; and

WHEREAS, the Town of Milton currently has its Ordinances providing for proper zoning regulations; and

WHEREAS, Section 29(10) of the Charter of the Town of Milton currently states "To provide, construct, extend, maintain, manage and control jetties, bulkheads, embankments, flood gates, piers, or fills for the preservation of any strand, or high land within the limits of the Town, and contiguous thereto, to the end that the same may be preserved, property protected that the general public might enjoy the use thereof, and to assure that all and any construction, apart from these listed above, begin 50 feet from the both high tidal and fresh water ponds, lakes and rivers. In any case, the Town of Milton must be in compliance with state and federal provisions"; and

WHEREAS, the Town Council has proposed removing the following phrase from Section 29(10) of the Town Charter and incorporating the requirement in Town Code Chapter 220 entitled "Zoning",

"...and to assure that all and any construction, apart from these listed above, begin 50 feet from the both high tidal and fresh water ponds, lakes and rivers."

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton, a majority thereof concurring, that the following amendments be hereby incorporated into Chapter 220 of the Town Code, with additions shown by underline as follows:

Section 220-4. Purpose.

D. All such zoning regulations and maps shall be enacted for the purposes of:

(12) Providing for the preservation and protection of high tidal and fresh water ponds, lakes, and rivers that the general public may enjoy the use thereof.

Section 220-59. ~~(Reserved)~~ Protection of lands contiguous to certain bodies of water.

Other than jetties, bulkheads, embankments, flood gates, piers, or fills, all construction shall begin no closer than 50 feet from both high tidal and fresh water ponds, lakes, and rivers. In any case, compliance with State and Federal regulations is required.

Density Control Table 220 Attachment 1:2

NOTES:

8. See Section 220-59 for required buffer from certain bodies of water

I, **MARION L. JONES**, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the ____ day of _____, **2015**, at which a quorum was present and voting throughout and that the same is still in full force and effect.

MAYOR