



ORDINANCE NO. 2025-04

AN ORDINANCE OF THE TOWN OF BELLEAIR SHORE, FLORIDA, AMENDING CHAPTER 30 – WATERWAYS, ARTICLE II. – BEACH AREAS, DIVISION 2.- BEACH AND ACCESS AREA RESTRICTIONS, BY CREATING A NEW SECTION 30-62. – DIGGING HOLES ON THE BEACH; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Belleair Shore (the “Town”) is an incorporated form of local government that has all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and it may exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the Town desires to keep the beach and pathways clear of unnecessary obstructions to ensure access and safety on the beach; and

WHEREAS, the beaches of the Town are used and enjoyed by residents and visitors alike for vacationing, recreation, fishing, walking, water access and other traditional uses; and

WHEREAS, the Town desires to keep the beaches clean and free from potential hazards to people, animals, or the environment; and

WHEREAS, the Town Commission of the Town of Belleair Shore finds it is in the best interest of the Town to protect the private property rights of its residents.

NOW THEREFORE, BE IT ORDAINED BY the Town Commission of the Town of Belleair Shore, Florida, as follows:

Section 1. : All of the foregoing findings are true and correct and shall be incorporated as if fully set forth herein.

Section 2. : A new Section 30-62 of the Town of Belleair Shore Code of Ordinances shall be added as follows:

Section 30-62. – Digging holes on the beach.

It shall be required that all holes dug on the beach are to be attended at all times and shall be completely filled and restored to their original level condition prior to leaving the beach the same day it is created.

Section 3.: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4.: If any section, subsection, sentence, clause or phrase of the Ordinance is determined for any reason to be illegal, invalid, or unconstitutional by a court or regulatory body of competent jurisdiction, then the offending provision shall be deemed severable, shall not affect the validity of the remaining portions hereof, and the remainder shall continue in full force and effect.

Section 5.: That the provisions if this Ordinance shall become a part of and be included in the Town of Belleair Shore Code of Ordinances, and the keeper of the Code is hereby authorized to renumber and incorporate said provisions into the Code Ordinances as may be required to accomplish the orderly codification of same.

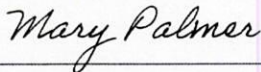
Section 6.: The effective date of this shall be immediately upon its passage in the manner provided by law.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the first reading on the 18th day of March 2025.

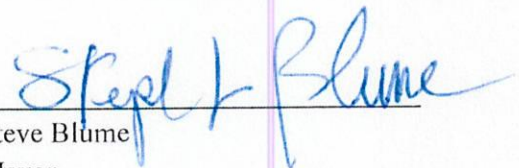
UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the second reading on the 15th day of April 2025.

TOWN OF BELLEAIR SHORE

ATTESTED BY:



Mary Palmer, MMC
Town Clerk



Steve Blume
Mayor

APPROVED AS TO FORM AND CORRECTNESS:



Daniel P. Lewis, Esq.
Town Attorney