

PART I CHARTER¹

AN ACT to abolish the present municipal government of the Town of Lake Park in the County of Palm Beach and State of Florida, and to establish, organize and constitute a municipality to be known as "Town of Lake Park" in the County of Palm Beach, State of Florida; to provide a charter for said town; fix its territorial limits and boundaries; provide for its government; prescribe its jurisdiction, powers and privileges; and providing for a referendum thereon.

Be It Enacted by the Legislature of the State of Florida:

ARTICLE I. [INCORPORATION]

Section 1. Present town abolished.

That the present municipal government of the Town of Lake Park, Palm Beach County, State of Florida, be and the same is hereby abolished.

Section 2. New town created.

That the rights, title, ownership of property, uncollected taxes, dues, claims, judgments, decrees, choses in action held and owned by the municipality of the Town of Lake Park, County of Palm Beach, State of Florida, shall pass to and be vested in the new municipal corporation hereby created and established to succeed such municipality, to be known as the Town of Lake Park.

Section 3. Contracts unimpaired.

That no obligation or contract of said municipality, including bonds heretofore issued, shall be impaired or avoided by this act, but such debts and obligations shall pass to and be binding upon the new municipality which is hereby organized and created.

Section 4. Officers and laws held over.

That all officers heretofore elected or appointed and holding office under the old Town of Lake Park, County of Palm Beach, State of Florida, shall continue to hold their respective offices and to discharge the duties thereof as set forth herein until their successors are elected and qualified under the provisions of this act; and all existing laws and ordinances of the said municipality not in conflict with the provisions of this act shall continue

¹Editor's note(s)—Printed herein is the Charter of the Town, Laws of Fla. Ch. 61-2375. Portions which have been superseded by state law and deleted or transferred to the Code of Ordinances are indicated by editor's notes. Amendments to the original Charter are indicated by history notes in parentheses following the amended section. Additions made for clarity are indicated by brackets.

State law reference(s)—Municipal Home Rule Powers Act, F.S. Ch. 166; charter amendments, F.S. § 166.031.

unimpaired and of binding effect until repealed, amended or modified by the municipality hereby created and organized.

ARTICLE II. [BOUNDARIES]²

Section 1. Boundaries.

That the territorial limits, boundary lines and area of the Town of Lake Park, Palm Beach County, Florida, a municipal corporation organized and existing under the laws of the State of Florida, be and the same are defined, fixed, determined and established as all that portion of Sections 19, 20, 21 and 22, Township 42 South, Range 43 East, being more particularly described as follows:

Beginning at the northwest corner of said section 20; thence South 88°29'36" East, along the north line of the northwest one-quarter (NW¼) of said section 20, a distance of 2,658.69 feet to the north one-quarter (N¼) corner of said section 20; thence South 01°16'15" West, along the east line of said northwest one-quarter (NW¼), a distance of 15.75 feet to a point on a line which is 7.75 feet south of and parallel with the centerline of Northlake Boulevard (S.R. No. 809) as shown on the Florida State Department of Transportation Right-of-Way Section No. 93600-2604; thence South 88°29'08" East, along said parallel line (said line also being 15.75 feet south of and parallel with the north line of the northeast one-quarter (NE¼) of said section 20), a distance of 2,654.88 feet to the east line of said northeast one-quarter (NE¼); thence South 88°39'56" East, 199.98 feet to a point on a tangent curve; thence along the arc of said curve, concave to the south, having a radius of 4,019.52 feet, a delta of 08°40'40", and an arc length of 608.78 feet to a point of reverse curvature; thence along the arc of said curve, concave to the north, having a radius of 4,009.75 feet, a delta of 10°37'48", and an arc length of 743.92 feet; thence tangent to the previously described curve, north 89°22'56" east, 1,094.29 feet to a point on the east line of the northwest one-quarter (NW¼) of section 21, (the last four (4) described courses being 7.75 feet south of and parallel with the said centerline of Northlake Boulevard; thence South 01°38'53" West, along said east line (said line also being the west line of Government Lot 1), a distance of 1,283.83 feet to the south line of Government Lot 1; thence South 88°38'33" East, along the south line of Government Lot 1 and its easterly extension, 3,330.68 feet to the centerline of the Channel of the Intracoastal Waterway; thence South 05°41'10" East, along said centerline, 4,093.38 feet to a point on the south line of section 22; thence North 88°31'33" West, along the south line of section 22 and section 21, a distance of 3,853.21 to the south one-quarter (S¼) corner of said section 21; thence continuing along the south line of section 21, North 88°31'04" West, 2,599.87 feet to the southwest corner of said section 21; thence North 88°31'37" West, along the south line of section 20, a distance of 2,661.47 feet to the south one-quarter (S¼) corner of said section 20; thence continuing along the south line of section 20, North 88°30'30" West, 2,665.20 feet to the southwest corner of said section 20; thence North 01°21'11" East, along the east line of the southeast one-quarter (SE¼) of section 19, a distance of 40.01 feet; thence North 87°18'48" West, along a line 40.00 feet north of and parallel with the south line of section 19, a distance of 2,674.34 feet to a point on the west line of the southeast one-quarter (SE¼) of said section 19; thence North 01°32'37" East, along said west line, 289.99 feet; thence South 88°27'29" East, 18.41 feet to a point on the easterly right-of-way line of the Central and Southern Florida Flood Control District Canal C-17;

²Editor's note(s)—Ord. No. 3-1990, adopted March 7, 1990, did not specifically amend article II, section 1, of the Charter but did provide for the Charter to be amended to include new voluntarily annexed property. The amended boundaries set out herein, while not a part of said ordinance, have been included herein at the direction of the town.

Annexations and voluntary annexations to the territorial boundaries as set forth on March 7, 1990, will be incorporated by reference, as if set forth herein: Ord. No. 9, ex. B, 5-4-1994; Ord. No. 10, ex. A, 5-18-1994

thence North 19°22'03" East, along said easterly right-of-way line, 5,013.61; thence continuing along said easterly right-of-way line, North 01°32'59" East, 171.25 feet to the southerly right-of-way line of Lake Park Road (S.R. No. 809-A) as shown on the Florida State Department of Transportation Right-of-Way Map Section No. 93600-2606; thence South 88°26'21" East, along said southerly right-of-way line, 71.95 feet; thence South 01°19'36" West, along a line 1,030.00 feet west of and parallel with the east line of section 19, a distance of 425.00 feet; thence South 88°26'21" East, along a line 500.00 feet south of and parallel with the north line of said section 19, a distance of 200.00 feet; thence South 01°19'36" West, along a line 830.00 feet west of and parallel with the east line of said section 19, a distance of 300.00 feet; thence South 88°26'21" East, along a line 800.00 feet, south of and parallel with the north line of said section 19, a distance of 830.01 feet to the west line of the northwest one-quarter (NW¼) of section 20; thence North 01°19'36" East, along said west line, 800.01 feet to the point of beginning; Said lands lying in Palm Beach County, containing 1527.991 acres, more or less.

(Laws of Fla. ch. 73-523, § 1; Ord. No. 3-1990, 3-7-1990)

ARTICLE III. [FORM OF GOVERNMENT]³

Section 1. Form of government.

The form of government of the Town of Lake Park shall be that known as the "Commission-Manager Plan."

Editor's note(s)—A portion of this section was deleted, see editor's note to article III heading.

Section 2. Optional form of government.

Editor's note(s)—See editor's note to article III heading.

ARTICLE IV. [ELECTIVE OFFICERS]

Section 1. Elective officers.

The elective officers under this charter shall be the Mayor and the members of the Town Commission. The Mayor and members of the Town Commission shall all be elected in a general election in accordance with the terms and schedule set forth in Section 3 below.

Mayor

Commissioner

Commissioner

Commissioner

Commissioner

³Editor's note(s)—The option to convert to the mayor-commission plan was not exercised within four years as permitted by this Charter and thus has expired. Mention of the mayor-commission plan has thus been deleted from this Charter.

(Ord. No. 01-2010, § 2, 1-20-2010)

Editor's note(s)—Portions of this section were deleted, at the direction of the town attorney, as relating solely to the transition from the previous Charter to the present Charter, and therefore being obsolete. For the basis of other changes to this section, see editor's note to article III heading.

Section 2. Ballot designations.

Editor's note(s)—See editor's note to article III heading.

Section 3. Term of elected office; schedule of election of Mayor and Commissioners.

The Mayor and Commissioners shall be elected for terms of three (3) years each. The regular town election for the four commission seats shall be the second Tuesday in March and each election year thereafter, beginning in March of 2010. Such town elections shall be general elections. Electors shall vote for one qualified candidate amongst those Commissioners who appear on the ballot at the election and each successive election for the office of Commissioner. At any general election held under the provisions of this Charter, the four Commissioner candidates who shall have received the four greatest number of votes cast shall be elected. Should two or more candidates for Commissioner receive the fourth greatest number of votes cast, those candidates shall be listed on a ballot for a run-off election which shall be held two weeks following the regular election for the office of Commissioner.

The regular town election for the Mayor shall be the second Tuesday in March of 2011. Such election shall be a general election. Electors shall vote for one qualified candidate amongst those candidates for Mayor who appear on the ballot. The candidate receiving the greatest number of votes cast shall be elected as the Mayor. In the event two or more candidates receive the same number of votes cast, then a run-off election shall be held two weeks after the original election to elect a candidate to fill the office of Mayor.

(Ord. No. 01-2010, § 2, 1-20-2010)

Editor's note(s)—A portion of this section was deleted, at the direction of the town attorney, as being unnecessarily duplicative of other language with this section.

Section 4. Filling of vacancy in the Office of Commissioner or Mayor.

In the case of death, disability, resignation or removal of the Mayor or any member of the Town Commission, or in the event that a Commissioner or the Mayor ceases to remain a bona fide legal resident of the Town, a vacancy for that Office shall exist. If such vacancy exists in the Office of Commissioner, it shall be filled by the appointment of a new temporary Commissioner by the remaining members of the Town Commission. The individual appointed by the Commission shall serve until a Commissioner is elected to fill the unexpired term. The election to fill the vacancy shall be held at the next scheduled municipal, state or federal primary or general election, whichever occurs first. If a vacancy in the Office of the Mayor exists, then an election shall be held to fill the vacancy in the Office of the Mayor for the remainder of the unexpired term. An election to fill the unexpired term shall be held at the next scheduled municipal, state or federal primary or general election, whichever occurs first.

(Ord. No. 02-2009, § 2, 2-4-2009; Ord. No. 01-2010, § 2, 1-20-2010; Ord. No. 05-2013, § 2, 4-17-2013)

State law reference(s)—Mandate to provide for filling of vacancies on commission, F.S. § 166.031(b).

ARTICLE V. GENERAL POWERS

Editor's note(s)—The provisions of this article were deleted because they granted powers to the town which are already granted under F.S. § 166.021.

ARTICLE VI. OPERATION OF COMMISSION-MANAGER FORM OF GOVERNMENT

Section 1. Qualifications of town manager.

The Town Commission shall appoint a Town Manager who shall be the administrative head of the municipal government under the laws of the Town as enacted by the Town Commission and under the general supervision of the Town Commission. The Town Manager shall be properly qualified, or the minimum qualifications being that he is a college graduate or his experience, training, and education equivalent to that of a college graduate as determined by the members of the Town Commission and that he has at least five (5) years experience as a full-time employee in Public Administration at the Administrative level. Before the appointment of a new Town Manager or during the absence or disability of the Town Manager, the Town Commission may designate as an acting or interim Town Manager, any person which the Commission deems sufficiently qualified and competent to temporarily execute the functions of the office of Town Manager, however such person need not possess the afore-stated minimum qualifications for the full time position of Town Manager.

(Laws of Fla. ch. 67-1611, § 1; Ord. No. 02-2009, § 3, 2-4-2009)

Editor's note(s)—Ordinance No. 24-1975 amended this section pursuant to F.S. § 166.021(5) by removing the residency requirement, see Code of Ordinances § 2-82.

Section 2. Appointment and removal of town managers.

Editor's note(s)—Ord. No. 17-1994, § II, adopted December 14, 1994, transferred this section to § 2-81 of the Code of Ordinances pursuant to F.S. § 166.021. Formerly, section 2 derived from Laws of Fla. ch. 61-3276, art. VI, § 2; Ord. No. 19-1991, § 1, 11-20-1991.

Section 3. Powers and duties of town manager.

Editor's note(s)—Ord. No. 19-1991, § II, adopted November 20, 1991, redesignated this section to the Code of Ordinances for the Town of Lake Park, § 2-81. Formerly, section 3 derived from Ord. No. 2-1978, § 2, 2-2-1978.

Section 4. Town manager has full control over administrative service.

Neither the Commission nor any of its members or committees shall dictate the appointment of any person to office or employment by the Town Manager, or in any manner interfere with the Town Manager or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service. The Commission and its members shall deal with the administrative service solely through the Town Manager.

ARTICLE VIII. DESIGNATION OF CERTAIN OFFICERS AND/OR DEPARTMENT HEADS

Section 1. [Reserved.]

Editor's note(s)—See editor's note to article III heading.

Section 2. [Authority of town manager.]

For the purpose of systematically handling the Town government, the Town Manager shall assume the administrative duties of the Mayor and Commissioners, except that the Mayor shall continue to have the duties as set forth herein, and the Town Manager shall appoint one (1) person who shall perform the duties of Town Clerk, Tax Assessor, Tax Collector and Treasurer as set forth herein, and together with deputies as may be necessary to perform the enumerated duties. Such appointment shall be subject to the approval of the Town Commission.

The Town Manager shall be the budget officer.

Section 3. [Reserved.]

Editor's note(s)—See editor's note to article III heading. Also, the duties of the tax assessor and tax collector are performed by the county under F.S. § 193.116.

Section 4. Duties of department heads.

Editor's note(s)—See editor's note to article III heading.

Section 5. [Reserved.]

Editor's note(s)—This section was transferred to Code of Ordinances § 2-31 pursuant to F.S. § 166.021.

ARTICLE IX. DUTIES OF CERTAIN TOWN OFFICERS

Section 1. Duties of certain officers.

The Mayor is to be the permanent chairman of the Town Commission and the Commissioners shall elect a vice-mayor who shall be Chairman pro tem, at their first organizational meeting after each election and who will preside and act as Mayor in the absence or disability of the Mayor. The Mayor shall sign all checks, deeds, negotiable notes and bonds, evidences of indebtedness or other instruments in writing to which the Town shall be a party when authorized to do so by the Town Commission, and he shall be ex officio a[sic] Commissioner and shall have a voice and vote in the proceedings of the Commission.

Editor's note(s)—Portions of this section were deleted as necessary to reflect the fact that the mayor-commission plan was not implemented; see editor's note to article III heading. In addition, certain grammatical changes were made, at the request of the town attorney, for purposes of clarity.

Section 2. Powers and duties of town clerk.

Editor's note(s)—This section was transferred to Code of Ordinances § 2-84 pursuant to F.S. § 166.021.

Section 3. Powers and duties of the town tax assessor.

Editor's note(s)—This section was superseded by F.S. § 193.116 which provides for assessment by the county property appraiser.

Section 4. Powers and duties of the town tax collector.

Editor's note(s)—This section was superseded by F.S. § 193.116 which provides for tax collection by the county tax collector.

Section 5. Powers and duties of the town treasurer.

Editor's note(s)—This section was transferred to Code of Ordinances § 2-85 pursuant to F.S. § 166.021.

Section 6. Powers and duties of the town budget officers.

Editor's note(s)—Portions of this section were transferred to Code of Ordinances § 2-86 and others deleted pursuant to F.S. § 166.021.

Section 7. Town attorney.

The Commission shall appoint a Town Attorney who shall be responsible for the town's legal affairs and act as legal counsel for the commission, its officers, employees and appointed boards or committees in the performance of their official duties. The Town Attorney shall be properly qualified, the minimum qualifications being a member in good standing of the Florida Bar, and at least five years experience as a full time county or municipal attorney. The responsibilities and duties of the Town Attorney and his appointment and removal shall be as set forth in section 2-87 of the Town's Code of ordinances.

(Ord. No. 06-2012, § 2, 5-2-2012)

ARTICLE X. APPOINTMENT AND REMOVAL OF TOWN EMPLOYEES AND OFFICERS

Editor's note(s)—This article was deleted pursuant to F.S. § 166.021.

ARTICLE XI. ANNUAL AUDIT

Editor's note(s)—This article was deleted pursuant to F.S. § 166.021.

ARTICLE XII. TOWN POLICE DEPARTMENT

Editor's note(s)—This article was deleted pursuant to F.S. § 166.021.

ARTICLE XIII. MUNICIPAL JUDGE AND JUDGES AD LITEM

Editor's note(s)—This article was superseded by Fla. Const. art. V, § 20(d)(4) which abolished all municipal courts by January 3, 1977.

ARTICLE XIV. MUNICIPAL RECALL

Section 1. Mayor, any commissioner or any elected official may be recalled.

The Mayor, any Commissioner or any other elected official may be recalled and removed from his or her respective office as provided by Florida Law (F.S. § 100.361, Municipal Recall.)

(Ord. No. 5-1984, § 2, 3-21-1984)

Section 2. Method of removal and procedure for filing recall petition.

Editor's note(s)—Ord. No. 5-1984, § 3, adopted March 21, 1984, repealed Art. XIV, §§ 2—5, and provided that such sections be deleted from the Charter as being superseded by F.S., § 100.361.

Section 3. Calling the recall election.

Note(s)—See the editor's note to Art. XIV, § 2.

Section 4. Recall determined by majority of voters.

Note(s)—See the editor's note to Art. XIV, § 2.

Section 5. Election may be ordered by court.

Note(s)—See the editor's note to Art. XIV, § 2.

ARTICLE XV. INITIATIVE AND REFERENDUM

Editor's note(s)—This article was deleted pursuant to F.S. § 166.021. Note that the Charter amendment procedure under F.S. § 166.031 is less stringent than the procedure under this article.

ARTICLE XVI. REGISTRATION AND ELECTIONS

Sections 1—9. Superseded.

Editor's note(s)—Sections 1—9 of this article were superseded by F.S. ch. 98 which provides for a single registration system in each county.

Section 10. Adoption of general laws of state.

All general laws of the State of Florida relating to elections and to the registration of persons qualified to vote therein, which are not inconsistent with or in conflict with the provisions of this Charter, be and the same are hereby adopted as parts hereof.

State law reference(s)—Electors and elections, F.S. title IX.

Section 11. Special elections.

Special elections may be held in the following cases: First, where there shall be no choice of any officer who should have been elected at a general election; second when a vacancy shall occur more than ninety (90) days before a general election is to be held; third, in any other case when it becomes necessary to give full force and effect and carry out the intents and purposes of the Charter of the Town of Lake Park.

(Ord. No. 04-2015, § 2, 5-6-2015)

Section 12. Notice of general or special election.

At least thirty (30) days before, but not more than forty-five (45) days before any general or special election, the Town Clerk of the Town of Lake Park shall cause to be posted in three (3) conspicuous places in the Town, one (1) of which shall be at the door of the Town Hall, notice of such elections and what offices and what vacancies are to be filled. In the event the office of the Town Clerk shall be vacant or the Clerk shall refuse or neglect to post such notice within thirty (30) days prior to such election, then the Commission shall by majority vote designate the Deputy Clerk or a member of the Commission to post such notices heretofore described, provided such notice shall be posted at least twenty-six (26) days prior to such election.

Section 13. Date of general election.

The general election of the Town of Lake Park shall be held in said Town on the second Tuesday in March of the calendar year; or as may otherwise be specified in the published Notice of General Election posted by the Town Clerk.

(Ord. No. 4-1984, § 1, 3-21-1984; Ord. No. 04-2015, § 2, 5-6-2015)

Section 14. Time of opening and closing polls.

Editor's note(s)—This section was superseded by F.S. § 100.011 which provides 7:00 a.m. to 7:00 p.m. of the time standard in use in the locality.

Section 15. Arrangements for elections; declarations of results; inspectors and clerks; publication of resolution calling election.

The Town Commission shall appoint four (4) inspectors and a clerk to each election board and the Commission shall cause the names of such inspectors and clerks of election to be posted at the door of the Town Hall for a period of not less than fifteen (15) days preceding such election whether the same be general or special. However, if the Commission shall fail to appoint them at least two (2) days before the date of any election, the Town Clerk shall appoint them.

Sec. 16. Results of election to be set forth in resolution.

At the close of the election, all ballot boxes or computer generated ballots which contain the votes cast in the Town of Lake Park, shall be made available to the Supervisor of Elections. Upon receipt of the official results of the election from the Supervisor of Elections, a resolution shall be prepared reflecting the results of the election. The resolution confirming the results of the election shall be adopted by the Town Commission at its next public meeting.

(Ord. No. 32-2002, § 1, 12-18-2002)

Editor's note(s)—Ord. No. 32-2002, § 1, adopted December 18, 2002, amended § 16 in its entirety to read as herein set out. Formerly, § 16 pertained to the canvass of ballots and proclamation of results, and derived from original codification.

Section 17. [Reserved.]

Editor's note(s)—In order to comply with a consent decree of the United States District Court for the Southern District of Florida, § 17, which pertained to run-off elections, has been repealed by § 3 of Ord. No. 01-2010, adopted Jan. 20, 2010.

Section 18. Qualification of candidates for town commission; notice of candidacy; filing dates.

1. Any bona fide resident of the Town of Lake Park and of the State of Florida and a citizen of the United States of America who is a registered voter of the Town of Lake Park and possesses the qualifications to vote at Town, State and National elections, and who is otherwise qualified to be a member of the Town Commission, as provided in this Charter, may be a candidate for the office of Town Commissioner by filing a verified notice of candidacy for Town Commissioner, stating the office he seeks, with the Town Clerk of said Town, in the manner hereinafter set out.
2. Notice of candidacy for a general election shall be filed no earlier than NOON on the first Tuesday in November beginning at Noon until the third Tuesday in November ending at Noon of the calendar year in which the election is to be held. Provided, however, when a regular election for either the offices of commission or mayor is to be held in March of a year when the state holds a presidential primary, a notice of candidacy for the town's regular election shall begin the first Tuesday in November at Noon until the third Tuesday in November ending at Noon in the calendar year preceding the presidential preference primary.
3. Notice of candidacy for a Special Election pursuant to section 11 of the Charter shall be filed no later than NOON on the twentieth (20th) day before the special election date set by the Town Commission.
4. Filing of a Notice of Candidacy for any election shall require paying as a qualifying fee the sum of twenty-five (\$25.00) dollars to the Clerk of the Town of Lake Park, which said money shall be used for the purpose of defraying election expenses.
5. The Notice of Candidacy shall be in the following form, to wit:

NOTICE OF CANDIDACY FOR TOWN COMMISSION

I, (Name of Candidate), residing at (Residence Address of Candidate), Town of Lake Park, Palm Beach County, Florida, do hereby give notice of my candidacy for the office of Town Commissioner () or Mayor () of the Town of Lake Park, Florida, in the forthcoming election to be held in said Town on (Date). I do further state that I am a bona fide citizen of the United States of America and a resident of the Town of Lake Park; that I have resided in the Town of Lake Park for the six (6) months immediately preceding the date of the election to be held in the Town of Lake Park; that I am over the age of eighteen (18) years; that I have paid the qualifying fee for said office, and that I have fully satisfied all conditions precedent to such candidacy, pursuant to the provisions of the Charter of the Town.

(Candidate to sign on this line)

(Candidate for (Name of Office))

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before me, the undersigned authority, this day appeared (name of candidate), who, upon being duly sworn, deposed and said: That he is the candidate referred to in the foregoing notice; that he is familiar

with the contents of said notice and that the facts and matters therein stated are true; and that he did sign notice for the purpose therein specified.

	(Candidate)
--	-------------

Sworn to and subscribed before me this ____ day of _____, A.D., 20__.

Notary Public, State of Florida at Large	
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My commission expires:

6. Such person so filing said notice as prescribed, and paying the qualifying fee as prescribed, if otherwise found to be qualified, shall be entitled to have his name printed upon the official ballot at such election.

(Ord. No. 21-1983, § 1, 11-2-1983; Ord. No. 4-1984, § 2, 3-21-1984; Ord. No. 08-2015, § 2, 6-7-2015; Ord. No. 14-2017, § 2, 10-18-2017)

Section 19. Use of voting machines and adoption of state laws relating thereto.

Voting in all general elections in the Town of Lake Park shall be by means of voting machines, and voting in special elections may be by means of voting machines or ballot boxes, at the discretion of the Town Commission; and all general laws of the State of Florida relating to the use of voting machines which are not inconsistent or in conflict with the provisions of this Charter be and the same are hereby adopted as a part hereof.

State law reference(s)—Electronic voting systems act, F.S. § 101.5601 et seq.

Section 20. Commission to prepare ballot boxes.

In the event that ballot boxes are to be used in any special election, the Commission shall prepare or cause to be prepared and/or secured, a ballot box and/or ballot boxes of sufficient size and number to receive and contain all of the ballots to be cast at any election.

Section 21. Direction for printing ballots.

All ballots provided by the Commission shall be alike, printed in the English language upon white paper of good quality with a slender line between each name and extending sufficiently to the left of the names to easily permit marking before each name a cross mark (x), and in the appropriate place the words "Vote for One" (or other words, as the case may be to indicate the numbers which may be elected to each office and shall be substantially in the form prescribed in Section 22 of this Charter).

Section 22. Reserved.

Editor's note(s)—Ord. No. 04-2015, §§ 2, 3, adopted May 6, 2015, repealed § 22, which pertained to form of ballot and derived from Ord. No. 21-1983, § 1, adopted November 2, 1983; Ord. No. 4-1984, § 2, adopted March 21, 1984.

Section 23. Booths.

The Commission shall provide not less than two (2) booths and one (1) booth or compartment for each three hundred (300), or fraction of three hundred over one hundred fifty voters registered for election and furnish each with a shelf or table for the convenience of voters in preparing their ballots. Each booth or compartment shall be so arranged that it will be impossible for one (1) voter at a shelf or table in one compartment to see a voter at a shelf or table in another compartment in the act of marking his ballot. Each voting table or shelf shall be supplied with conveniences for marking the ballots. Such booth or compartment shall be shut off from the remainder of the room in which they are located by a substantial railing.

Section 24. Police at polling place.

Editor's note(s)—This section was repealed by Ordinance No. 4-1976 pursuant to F.S. § 166.021(5).

Section 25. Watchers—Who may act, etc.

A watcher is any duly registered and qualified voter of the Town who has been authorized, as herein provided, by a qualified candidate to represent such candidate at the polling place. A candidate shall not act as his own watcher, and only one (1) watcher for each candidate shall be allowed in the polling place. No watcher shall be allowed within the railing enclosing the voting booths or compartments. Except that he may remain in the room where the election is being held, a watcher shall have no privilege or immunity not enjoyed by other voters of the Town. Each watcher, before being permitted to act as such, shall file with the clerk of the elections a written certificate signed and acknowledged by the candidate whom such watcher is to represent before an officer duly authorized to administer oaths, in substantially the following form:

	Lake Park, Florida
	, 20__
To the Clerk of Elections of the Town of Lake Park Florida:	

This is to certify that I have appointed _____, a registered and qualified voter of the Town of Lake Park, Florida, to represent me as watcher at the election to be held in the Town of Lake Park on the ____ day of _____, 20__.

	Candidate for

Section 26. Marking more names than persons to be elected.

If the voter marks more names than there are persons to be elected to an office, his or her ballot shall be void. No ballot is to be rejected for formal defects provided that the intent of the voter is clearly manifested therein.

Section 27. Supervisor of registration to give certificate to person elected.

The Supervisor of Registration shall give to the person or persons who shall be elected a certificate of his or her election and the Supervisor of Registration shall give to any person desiring a copy of such returns from the

records a certified copy thereof, or such part thereof as may be desired, upon payment to him of the customary fees for copying and certifying papers in the office of the Clerk of the Circuit Court.

Section 28. Adoption of general laws of state; absentee (voting) ballots.

All general laws of the State of Florida in regard to absentee (voting) ballots shall apply to all absentee ballots for Town Elections, except that the words "Municipal Clerk" shall be substituted whenever the word "Supervisor" appears in those sections concerning absentee ballots. However, the Supervisor of Elections may handle absentee ballots for the Town if so requested by the Town Clerk.

(Ord. No. 4-1984, § 4, 3-21-1984)

State law reference(s)—Absentee balloting, F.S. § 101.62 et seq.

Section 29. Political activities of town commissioners and employees.

No Mayor, Commissioner, official or employee of the Town of Lake Park, whether elected, appointed or otherwise employed, shall use the authority or influence of his office for the purpose of political activities or interfering with an election, be it general, special, referendum or any other election of any kind or nature in the Town of Lake Park. Such persons shall in no wise interfere with an election or with the qualifying of any candidate nor either directly or indirectly coerce or attempt to coerce, command or advise any other Commissioner or employee to pay, lend or contribute any part of his salary or time or anything else of value to any agency or person for political purposes in the Town of Lake Park.

The provisions of this section shall not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in the Town of Lake Park. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor.

State law reference(s)—Political activities of municipal officers and employees, F.S. § 104.31.

ARTICLE XVII. ORDINANCES AND RESOLUTIONS

Editor's note(s)—This article has been deleted pursuant to F.S. § 166.021. Procedures for adoption of ordinances and resolutions are contained in F.S. § 166.041.

ARTICLE XVIII. TAXES AND ASSESSMENTS

Editor's note(s)—The provisions of this article have been superseded by state law. F.S. § 166.201 et seq. provides all the taxing authority necessary for the town. F.S. § 193.116 provides that the county shall make all appraisals and collections within the county.

ARTICLE XIX. BONDS

Editor's note(s)—This article has been superseded by F.S. § 166.101 et seq. which provides full authority for the issuance of bonds.

ARTICLE XX. PUBLIC UTILITIES AND ROADS

Editor's note(s)—This article was deleted pursuant to F.S. § 166.021.

ARTICLE XXI. MISCELLANEOUS

Section 1. Limitations of action against city.

Editor's note(s)—This section was superseded by F.S. § 768.28 which waives sovereign immunity.

Section 2. Extent of damages recoverable.

Editor's note(s)—See editor's note following preceding section.

Section 3. Town not liable for misfeasance, etc., of officers or employees.

Editor's note(s)—See editor's note following section 1 of this article.

Section 4. Notice to Town, etc.

Editor's note(s)—This section was superseded by F.S. § 95.241 which provides that no notice is necessary to institute an action and F.S. § 768.28 which governs the period of limitation for tort actions against the town. It should be noted that F.S. § 95.241 was later repealed by Laws of Fla. ch. 79-146.

Section 5. Separability of provisions.

The several clauses and parts of this act are mutually independent of each other and if any part of this act should be declared unconstitutional, void or invalid, no other part of this act shall be affected thereby.

Section 6. Referendum.

The Town of Lake Park created by this Charter shall not be deemed incorporated under this act unless and until the question of the acceptance of this Charter shall have been submitted to a vote of the registered voters of the Town of Lake Park as presently constituted. If a majority of the registered voters voting at said election shall vote to accept this Charter, the Town of Lake Park shall be deemed incorporated under the terms of this Charter from the date of canvassing and declaring the result of said election. If a majority of the registered voters at said election shall vote not to accept this Charter, the Town of Lake Park shall not be incorporated under this act but shall remain incorporated under Chapter 9794, Special Laws of Florida, Acts of 1923, and amendments thereto.

The election for the referendum vote on this Charter shall be held within sixty (60) days after this act has been passed by the Legislature of the State of Florida, provided however, that if within ninety (90) days after passage of this act by the Legislature of the State of Florida, a general election of the Town of Lake Park shall be held, then this question shall be submitted to the voters of the Town at said general election.

Section 7. Repeal of laws and parts of laws in conflict herewith.

All laws or parts of special laws relating to the municipality formerly known as the Town of Lake Park in Palm Beach County, Florida, which are inconsistent or in conflict herewith shall be and the same are hereby repealed, and the following laws hereby expressly repealed: Chapter 9794, Special Laws of Florida, Acts of 1923, Chapter 12943, Special Laws of Florida, Acts of 1927, Chapter 19931, Special Laws of Florida, Acts of 1939, Chapter 21324, Special Laws of Florida, Acts of 1941.

Section 8. Effective date.

This act shall become effective immediately upon its becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State April 19, 1961.

CHARTER COMPARATIVE TABLE LAWS OF FLORIDA

This table shows the location of the sections of the basic Charter and any amendments thereto.

Laws of Fla. Chapter	Section	Section this Charter
61-2375	I—XXI	Arts. I—XXI
67-1611	1	Art. VI, § 1
73-523	1	Art. II, § 1

CHARTER COMPARATIVE TABLE ORDINANCES

This table shows the location of the sections of the basic Charter and any amendments thereto.

Ordinance Number	Date	Section	Section this Charter
12-1977	9- 7-1977	1	Art. VII, § 1
21-1983	11- 2-1983	1	Art. XVI, § 18
4-1984	3-21-1984	1	Art. XVI, § 13
		2	Art. XVI, § 18
		3	Art. XVI, § 22
		4	Art. XVI, § 28
5-1984	3-21-1984	2	Art. XVI, § 1
3-1990	3- 7-1990		Art. II, § 1
32-2002	12-18-2002	1	Art. XVI, § 16
02-2008	2- 6-2008	6 Rpld	Art. VII, § 1
02-2009	2- 4-2009	2	Art. IV, § 4
		3	Art. VI, § 1
01-2010	1-20-2010	2	Art. IV, §§ 1, 3, 4
		3 Rpld	Art. XVI, § 17
		4	Art. XVI, § 22
06-2012	5- 2-2012	2 Added	Art. IX, § 7
05-2013	4-17-2013	2	Art. IV, § 4
04-2015	5- 6-2015	2	Art. XVI, §§ 11, 13
		2, 3 Rpld	Art. XVI, § 22
08-2015	6-17-2015	2	Art. XVI, § 18
14-2017	10-18-2017	2	Art. XVI, § 18