

**ORDINANCE 092023**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLES I, II, IV AND V OF CHAPTER 24, OF THE TOWN'S CODE OF ORDINANCES PERTAINING TO SOLID WASTE; PROVIDING FOR AMENDMENTS TO THE DEFINITIONS, GENERAL TEXT AND CERTAIN PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of Lake Park, Florida (Town) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 166, Florida Statutes; and

**WHEREAS**, the Town operates a Sanitation Utility (the Utility) that provides solid waste collection and disposal services within the Town; and

**WHEREAS**, the operation of the Utility furthers the health and welfare of the Town's residents, visitors, and businesses; and

**WHEREAS**, the Director of Public Works has determined that there is a need to further amend certain definitions and clarify certain language pertaining to the Utility's operations.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1.** The foregoing recitals are incorporated herein.

**Section 2.** Sections 24-1, 24-4, and 24-9 of Article I of Chapter 24 of the Town's Code of Ordinances is hereby amended as follows:

**Sec. 24-1. Definitions.**

The definitions located in F.S. § 403.703 shall apply to this chapter. In addition, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bulky waste* means large, noncontainerized, discarded items placed for disposal such as large boxes, barrels, crates, large furniture and large appliances, but not including yard and garden trash items, as defined in this section.

*Commercial property* means any property utilized for commercial, governmental, agricultural, and industrial purposes or single-family and/or multifamily units or grouping of units maintained as residential properties or units [that have primary garbage service served by a dumpster or compactor.] Commercial single-family and/or multifamily units that have primary garbage service served by a dumpster or compactor shall be billed in accordance with approved commercial sanitation rates. Commercial properties are typically served through the use of dumpsters or compactors.

*Commercial trash* means any and all accumulations of paper rags, excelsior, wood, paper or cardboard boxes or containers, sweepings, furniture, appliances and any other accumulation not included under the definition of garbage, generated by the operation of commercial properties *h.e.:* stores, offices, public buildings, other places of business, and single-family and/or multi-family units that have primary garbage service served by a dumpster or compactor. The term "commercial trash" shall also include all trash placed in public receptacles in public places for collection.

*Compactor* means a metal container (dumpster or roll-off box) that contains a packing mechanism and an internal or external power unit.

*Containerized household trash* means any and all accumulations of waste material generated in and about the home, other than garbage, and which can be stored for collection in an approved refuse container, e.g., food packaging, small appliances, small toys, dishes, etc.

*Containerized light yard trash* means any and all accumulations of bagged waste vegetation which is placed for collection, or any and all accumulations of waste vegetation arranged in a single pile for collection in a volume not exceeding ten cubic yards (18 feet long × 4 feet wide × 4 feet high), other than grass clippings.

*Dumpster* means a metal container of not less than two cubic yards or larger than eight cubic yards, made of watertight construction with doors opening on top, and constructed so that it can be emptied mechanically by specially equipped trucks.

*Garbage* means any and all accumulations of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruit, vegetables and

**Commented [MH1]:** Roberto removing any reference to per unit classifications

**Commented [BTJ2]:** I don't understand what this means. How is one primarily provided garbage service by a dumpster or compactor?

**Commented [BTJ3]:** The meaning of commercial properties is already in this definition, or at least examples of what it means.

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any other matter, of any nature whatsoever which is subject to decay, putrefaction and the generation of noxious and offensive gases or odors or which, during and after decay, may serve as breeding or feeding material for flies or other germ carrying insects; bottles, cans or other food containers which, due to their ability to retain water, may serve as a breeding place for mosquitoes or other water-breeding insects.

*Heavy yard trash* means any and all accumulations of waste vegetation having a diameter of more than four inches, or which is loosely piled for collection in a quantity of more than ten cubic yards, other than grass clippings. The term "heavy yard trash" shall also include any and all accumulations of soil and/or sod piled for collection.

*Industrial waste* means any and all debris and waste products generated by canning, manufacturing, food processing (except restaurants), land clearing, building construction or alteration (except minor household repair projects performed by the owner or occupant), and public works type construction projects whether performed by a governmental unit or by contract.

*Loading and unloading area* means any designated loading or unloading space or area used by any moving vehicle for the purpose of receiving, shipping and transporting goods, wares, commodities, and persons.

*Minor household repairs* mean minor residential household repairs for which no permit is required under the technical codes, and which are done exclusively by an occupant of the residence.

*Multifamily residential unit* means any building containing more than one dwelling unit.

*Noncontainerized household trash* (see also Bulky waste) means any and all accumulations of waste material generated in and about the home, other than garbage, which cannot be stored for collection in an approved refuse container due to its larger size, e.g., furniture, large toys, lawn mowers, etc.

*Parking lots* means areas on commercial and/or public properties designed specifically for vehicular parking.

*Premises* means lots, sidewalks, alleys, rights-of-way, grass strips and curbs up to the edge of the pavement of any public thoroughfare.

*Public property* means any area that is used or held out to be used by the public, whether owned or operated by a public interest, including but not limited to highways, streets, alleys, parks, recreation areas, sidewalks, grass strips, medians, curbs, or rights-of-way up to the edge of the pavement of any public thoroughfare or body of water.

*Refuse* means solid waste accumulations consisting of garbage, containerized household trash, noncontainerized household trash, containerized light yard trash, heavy yard trash, white goods/large appliances, and commercial trash as defined in this section.

*Refuse containers and receptacles* means approved and unapproved vessels used to store all types of garbage, trash, waste, and refuse. Refuse containers and receptacles approved by the town for use hereunder include compactors, dumpsters, roll-off boxes, and rollout carts.

*Residential property* means any single-family dwelling or multifamily property with a grouping of two or more units that are provided primary garbage service by a rollout cart, unless such dwelling unit or grouping of units has been approved by the town commission to be classified as commercial property. Residential properties are typically served through the use of rollout carts.

**Commented [MH4]:** Should include all properties whether owner-occupied or rental

**Commented [BTJ5]:** I don't know why the definition of a residential property would be inclusive of being served by a rollout cart - seems odd to me

*Roll-off box* means a container varying in capacity between ten cubic yards and 40 cubic yards which is used for collecting, storing, and transporting building materials, business trash, industrial waste, hazardous refuse, refuse or yard trash. The container may or may not use an auxiliary stationary packing mechanism for compacting materials into the container and may be of the open or enclosed variety. The distinguishing feature of the detachable container is that it is picked up by a specially equipped truck and becomes an integral part of the truck for transporting the waste materials to the disposal site.

*Rollout cart* means a 64-gallon to 96-gallon plastic container of a type approved by the town manager or designee of substantial construction with a tightfitting lid and provided with wheels and handles sufficient for safe and convenient handling.

*Single-family residential unit* means any building or structure containing not more than one dwelling unit that is not used for commercial purposes.

**Commented [BTJ6]:** How a residence is served is not part of its definition

#### **Sec. 24-4. Policies, rules, and fees.**

Any policy, rule, fee, charge, or assessment for the proper administration of this chapter may be established by resolution of the town commission.

#### **Sec. 24-9. Offensive deposits; burying and depositing in waterways.**

No person shall deposit on or bury in, or cause to be deposited on or buried in, any land, public square, street, alley, vacant or unoccupied lot, or any creek or watercourse any noxious, filthy, malodorous, or offensive liquid or solid material, garbage or trash.

**Section 3.** Sections 24-34, 24-34, and 24-37 of Article II of Chapter 24 of the Town's Code of Ordinances entitled "Residential Property Solid Waste and Recyclable Collections Service" is hereby amended as follows:

#### **Sec. 24-34. Approved containers.**

- (a) *Building materials.* The property owner of any property which requires roll-off containers to secure and remove building materials or other solid waste during construction, or which is associated with other permitted activities, shall make arrangements with the town's public works department for roll-off containers from providers approved by the town. A property owner's failure to make such arrangements may subject the property owner to a fine pursuant to the town's fee schedule which is adopted from time to time by a resolution of the town commission.
- (b) *Garbage and trash.* The town requires the owner or occupant of any real property to utilize adequate and suitable refuse receptacles and containers capable of holding all waste materials which would ordinarily accumulate between the times of successive collections. The town

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manager or designee shall determine the type, size, quantity, and location of receptacles on developed properties and shall determine whether containers are serviceable.

- (c) *Recyclables.* Plastic garbage bags or other home use containers shall not be utilized as containers for recyclable materials. Only containers designated by the town shall be utilized for recyclable material containers.

**Sec. 24-37. Underground containers prohibited.**

Containers stored partially or completely below the surface of the ground are prohibited. Existing underground containers must be removed and spaces remaining shall be properly filled with soil or other suitable material.

**Sec. 24-38. Preparation of materials for collection.**

- (a) *Garbage.* All wet garbage matter shall be wrapped in paper or disposable containers before being placed in refuse containers. All garbage, after having been so wrapped and drained of all liquids, shall be daily deposited in the garbage containers herein required. Nonrecyclable containers shall first be drained of all liquid prior to deposit in refuse containers.
- (b) *Containerized household trash.* Household trash which is of a size capable of being contained within the refuse container normally used for garbage shall be placed therein for collection. It shall be unlawful to place household trash which has not been drained of all liquids in said container.
- (c) *Noncontainerized household trash and white goods/large appliances.* Noncontainerized household trash and white goods/large appliances shall not be placed at curbside except as herein stated. Upon request, the town shall collect normal household discarded furniture or appliances, including, but not limited to, sofas, chairs, beds, refrigerators, washers, dryers, hot water heaters and similar items. Residents, including tenants or lessees, requesting this service of the town will be given a date when collection will occur.
- (d) *Light yard trash.* Persons providing routine lawn maintenance services may be allowed to dispose of light yard trash at the residence served, yard trash which is generated on-site by routine maintenance.
- (e) *Heavy yard trash.* Except as provided in section 24-39(d), residents, including tenants or lessees, and commercial properties engaging a commercial landscape or lawn maintenance business shall be required to notify the town of heavy yard trash generated by their activities and to utilize the services of the town for disposal of such yard trash and to compensate the town in accordance with the rate schedule established pursuant to section 24-111.
- (f) *Noncontainerized refuse materials.* Noncontainerized refuse materials shall be so prepared and contained so as not to be blown about by the wind.
- (g) *Recyclables.*
  - (1) All residents of the town shall source-separate all designated recyclables in the designated container, placing them at designated pickup points on the days or dates specified for collection by the schedule published by the town.

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- (2) Designated recyclables for this townwide program shall consist of the following materials:
- a. Newsprint plus glossy, printed material;
  - b. Food and beverage cans;
  - c. Clear, brown or green glass containers, with caps and lids removed;
  - d. Plastic containers, with markings indicating suitability for recycling; and
  - e. Such other materials and containers as may be specified by the solid waste authority and approved by the town commission.
- (h) *Special/prohibited materials.*
- (1) *Dangerous trash items.* It shall be unlawful to place dangerous trash items and all waste materials of injurious nature in containers unless they are securely wrapped so as to prevent injury to the collection crew or agency. Dangerous trash and waste materials shall include, but shall not be limited to, broken glass, lightbulbs, sharp pieces of metal, fluorescent tubes and television tubes.
  - (2) *Hazardous, contagious or medical refuse.* It shall be unlawful to place hazardous, contagious or medical refuse, containerized or noncontainerized, for collection by the town. Such materials shall include pesticides; clothing, bedding or other refuse liable to spread contagion; hypodermic needles; or other medical waste. Generators of such materials shall be responsible for storage, collection and disposal of same at an authorized disposal site as determined by the community development department.
  - (3) *Tires and motor vehicle parts.* It shall be unlawful to place tires and motor vehicle parts, containerized or noncontainerized, for collection by the town. Generators of such materials shall be responsible for storage, collection and disposal of same at an authorized disposal site as determined by the community development department unless otherwise arranged pursuant to section 24-32.
  - (4) *Minor building repairs.* Building materials resulting from minor repairs performed by the owner or occupant which meet the requirements for trash collection must be bundled, bagged, boxed or placed in a refuse container and will be collected at curbside. Discarded lumber pieces must be no longer than two feet without nails. Larger materials may be picked up by special request at an additional charge.
  - (5) *Ashes.* It shall be unlawful to place ashes or live coals in containers unless those ashes or coals have been wetted and are cool to the touch prior to placement in the container.
  - (6) *Cardboard boxes and cartons.* It shall be unlawful for any person disposing of cardboard boxes, cartons or crates in refuse containers to fail to collapse same prior to depositing that refuse for collection.

**Section 4.** Section 24-11 of Article IV of Chapter 24 of the Town's Code of Ordinances is hereby amended as follows:

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**Sec. 24-111. Town commission to set rates, billing and collection policy**

By resolution or other official action, the town commission shall establish and may periodically amend such rates, fees, charges and other assessments to residential, commercial, agricultural and governmental persons and entities as it shall deem necessary or proper for the administration of this chapter. Such charges may include requirements for prepayments or deposits based upon credit history and other relevant considerations. Further, said resolution or other official action may set other collection related policies including, but not limited to, deadlines for payment, declaration of delinquency, service fee for a dishonored check, discontinuation of service.

**Section 5.** Sections 24-141, 24-145, 24-146, and 24-148 of Article V of Chapter 24 of the Town's Code of Ordinances is hereby amended as follows:

**Sec. 24-141. Definitions.**

For the purposes of this article, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Use of the masculine gender shall include the feminine gender. The word "shall" is always mandatory and not merely discretionary.

*Annual solid waste assessment roll* means a list confirmed by the town commission each fiscal year of all lots and parcels of assessed property in the town within the boundaries of the town containing the following information:

- (1) A summary description of each lot and parcel conforming to the description contained on the real property assessment roll;
- (2) The name and address of the owner of each lot and parcel as reflected on the real property assessment roll; and
- (3) The annual solid waste assessment imposed on each residential lot or parcel as established in the rate resolution.

*Assessed property* means such lots or parcels as may be designated by the town commission in the rate resolution, against which the solid waste assessment is imposed.

*Assessment date* means January 1 of each year, or such other date as may be designated by the town commission, which date shall constitute the date on which the solid waste assessment is imposed as a lien against assessed property listed on the annual solid waste assessment roll or on any addendum thereto.

*Building* means any structure, whether temporary or permanent, built for the support, shelter or enclosure of persons, chattel or property of any kind. The term "building" shall include trailers, mobile homes, or any vehicles serving in any way the function of a building.

*Commercial property* means any property utilized for commercial, governmental, agricultural, and industrial purposes or single-family and/or multifamily units or grouping of units

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maintained as residential properties or units that have primary garbage service served by a dumpster or compactor.. Commercial single-family and/or multifamily units that have primary garbage service served by a dumpster or compactor shall be billed in accordance with approved commercial sanitation rates. Commercial properties are typically served through the use of dumpsters or compactors.

*Fiscal year* means that period beginning October 1 of each year and ending on September 30 of the subsequent year.

*Governmental property* means all property owned by any federal, state, county, municipal or local governmental units, or any agency of such governmental unit, including school boards.

*Improved property* means all residential and commercial property, containing a building that generates, or is capable of generating, solid waste.

*Mobile home* means manufactured homes, trailers, campers and recreational vehicles.

*Rate resolution* means the resolution adopted by the town commission under the provisions of section 24-145 establishing the schedule of solid waste assessments to be imposed, and the categories of assessed property.

*Real property assessment roll* means the assessment roll maintained by the property appraiser under law for the levy of ad valorem taxes on real property.

*Residential property* means any single-family dwelling or multifamily property with a grouping of two or more units that have primary garbage service served by a rollout cart, unless such dwelling unit or grouping of units has been approved by the town commission to be classified as commercial property. Residential properties are typically served through the use of rollout carts.

*Single-family residential unit* means any building or structure containing not more than one dwelling unit that is not used for commercial purposes. Single-family residential units, like most residential properties, are typically served through the use of rollout carts.

*Solid waste* means all types of garbage, trash, refuse, and recyclables described, defined or contemplated pursuant to this chapter.

*Solid waste assessment* means the annual non-ad valorem special assessment imposed upon a residential property in the town to pay for the cost of collection, disposal and management of solid waste generated or capable of being generated from such property and the administrative costs related thereto.

*Solid waste assessment category* means the classification of improved property incorporated in the rate resolution, whose classification may constitute a subcategory of a type of property defined or referenced herein.

(Code 1978, § 10-70; Ord. No. 12-1994, § I, 8-3-1994; Ord. No. 01-2023, § 2, 1-18-2023)

Cross reference(s)—Definitions generally, § 1-2.



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**Sec. 24-145. Imposition, amount, and collection of assessment.**

- (a) *Imposed.* There is hereby imposed on the assessment date against each lot or parcel of residential property with the town a solid waste assessment for the collection and disposal of solid waste pursuant to the provisions of this chapter.
- (b) *Amount of assessment.* The amount of the solid waste assessment imposed each fiscal year against each lot or parcel of residential property shall be at the rate established in the rate resolution for the solid waste assessment category applicable to such property.
- (c) *Collection and enforcement.* It is the intent of the town commission that the cost of collection and disposal services as well as the management and administrative costs and other costs reasonably related to such services be paid through the imposition of the annual solid waste assessment on all residential properties, provided that the commission may provide for a separate method of collection for the cost of disposal of solid waste or certain categories thereof. It is further the intent of the town commission to utilize the provisions of F.S. § 197.3632, and its successor, to provide a uniform method for the levy, collection, and enforcement of this non-ad valorem assessment.

(Code 1978, § 10-74; Ord. No. 12-1994, § I, 8-3-1994; Ord. No. 01-2023, § 2, 1-18-2023)

**Sec. 24-146. Adoption of rate resolution and solid waste assessment roll.**

The rate resolution shall fix and establish the solid waste assessment for residential properties and the charges for commercial dumpster service to be imposed within each ensuing fiscal year.

(Code 1978, § 10-75; Ord. No. 12-1994, § I, 8-3-1994; Ord. No. 01-2023, § 2, 1-18-2023)

**Sec. 24-148. Corrections to assessment roll.**

- (a) Errors in the annual solid waste assessment roll may be corrected as provided for in this section.
- (b) The town commission, or its designee, shall have the authority, at any time, upon its own initiative or in response to a petition from any affected owner of improved real property to correct any error of omission or commission in the adoption of any annual solid waste assessment roll or in the implementation of the rate resolution, including, but not limited to, an error in including any parcel of improved real property on such roll when such real property is not subject to assessment within the scope of the rate resolution and any error in the calculation of the annual solid waste assessment roll imposed against any parcel of improved real property.
- (c) Any owner of a parcel of improved real property may petition to correct any asserted error of omission or commission in the classification of the owner's improved real property used in the adoption of the annual solid waste assessment roll, by filing a petition consistent with the provisions herein with the town manager between October 1 and January 31 of the fiscal year for which the solid waste assessment is levied. Failure to file such petition by January 31 of the fiscal year for which the solid waste assessment was levied shall be a complete waiver of any right of an owner to seek a correction for such year.

(d) The petition may be initiated orally or in writing, but in either case shall contain, at a minimum, the following information:

- (1) The name and address of all owners of the parcel;
- (2) The address and parcel number of the property for which the correction is sought;
- (3) Documentation or information supporting the owner's asserted error in the classification of the parcel or the calculation of the amount of assessment.

The town manager, or the town manager's designee, shall review the petition and shall correct any errors upon finding that the owner has demonstrated an error in the classification or assessment amount assigned to such parcel. In making such a determination, the standards set out in the rate resolution shall be followed.

- (e) Upon approval of correction of the solid waste assessment, the town manager or the town manager's designee shall notify the property appraiser's office of the correction to be entered into the records.
- (f) The decision of the town manager, or the town manager's designee, on a petition will be made in writing, addressed, and mailed (in the case of a denial, by certified or registered mail, return receipt requested) to the petitioner within 90 days of receipt of the petition by the town. The decision shall be made based on the written or oral petition submitted by the petitioner and supporting documentation, and the burden shall be on the petitioner to demonstrate the reasons supporting the petition.
- (g) The owner receiving a correction under this section who has paid the annual solid waste assessment as originally imposed shall be entitled to a refund representing the difference between the assessed amount and the corrected amount of the annual solid waste assessment. Such a refund shall be paid to the person or party making payment. The owner receiving a correction under this section that has not paid the annual solid waste assessment should receive a corrected assessment from the tax collector.
- (h) If the petitioner is not satisfied with the decision of the town manager or the town manager's designee, the petitioner may appeal such decision to the town commission in a written petition specifying the reasons for such appeal. Such appeal shall be designated as an appeal of the decision of the town manager and shall refer to the specific decision rendered by the town manager, and must be mailed or delivered to the town clerk's office within 30 days of receipt of the decision of the town manager. Failure to file the appeal within such time limit shall constitute a forfeiture of such right of appeal. Upon receipt by the town of the petition for appeal, the matter shall be scheduled for hearing by the town commission, or its designee, at the earliest possible date, not to exceed 60 days from the date of receipt by the town of the petition for appeal. The date of such a scheduled hearing may be rescheduled beyond the 60-day period by mutual agreement of petitioner and the town. The petitioner shall be given reasonable notice of such hearing by certified or registered mail, return receipt requested, sent to the address on the annual solid waste assessment roll or another address if specifically designated in the petition for appeal. The town commission may designate by resolution an independent person or persons, not an employee of the town, to carry out the responsibilities of the town commission to hear, review and render decisions on appeals.

- (i) At any hearing on such petition for appeal formal rules of evidence shall not apply, but fundamental due process and the essential requirements of law shall be observed and shall govern the proceedings. The burden shall be on the petitioner to prove the right to the relief requested by clear and convincing evidence. All witnesses shall be placed under oath or affirmation by any officer permitted under Florida law to administer oaths or by the town clerk. Petitioner and the town shall have the right to:
- (1) Call and examine witnesses;
  - (2) Introduce exhibits;
  - (3) Cross examine witnesses on any relevant matter; and
  - (4) Rebut the evidence.
- (j) At all hearings, the town commission or town commission designee shall hear and consider all facts material to the petition and thereafter the town commission or town commission designee, also considering the provisions of the town Code and amendments thereto, as well as the purposes and intent thereof, may grant or deny, partially or wholly, the relief requested in the petition. The decision of the town commission or town commission designee, resulting from a hearing, shall be final and no petition for rehearing or reconsideration shall be considered. Any person, including the town and the petitioner, who is aggrieved by any decision of the town commission or town commission designee, may apply in the circuit court of the county within 30 days of rendition of such decision for a review by writ of certiorari in accordance with the applicable Florida Appellate Rules. However, this provision shall not be construed to limit any other remedy provided by law.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 7. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 8. Codification.** The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “Section,” “Article,” or any other appropriate word.

**SECTION 9. Effective Date.** This ordinance shall take effect upon execution.

Upon First Reading this 18th day of October, 2023, the foregoing Ordinance was offered by Commissioner Thomas, who moved its approval. The motion was seconded by Commissioner Taylor, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR ROGER D. MICHAUD	<u>✓</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	_____
COMMISSIONER JOHN LINDEN	_____	<u>✓</u>
COMMISSIONER MARY BETH TAYLOR	<u>✓</u>	_____
COMMISSIONER JUDITH E. THOMAS	<u>✓</u>	_____

**PUBLISHED IN THE PALM BEACH POST THIS 22nd DAY OF October, 2023**

Upon Second Reading this 1 day of November, 2023, the foregoing Ordinance, was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Taylor and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR ROGER D. MICHAUD	<u>✓</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	_____
COMMISSIONER JOHN LINDEN	_____	<u>✓</u>
COMMISSIONER MARY BETH TAYLOR	<u>✓</u>	_____
COMMISSIONER JUDITH E. THOMAS	<u>✓</u>	_____

The Mayor thereupon declared **Ordinance 09-2023** duly passed and adopted this 1 day of November, 2023.

TOWN OF LAKE PARK, FLORIDA

BY: Roger D. Michaud  
Mayor, Roger D. Michaud

ATTEST:

Vivian Mendez  
Town Clerk, Vivian Mendez  
(Town Seal)  
**TOWN OF LAKE PARK  
SEAL  
FLORIDA**

Approved as to form and legal sufficiency:

Thomas J. Baird  
Town Attorney, Thomas J. Baird  
Brett Lashley  
Town Attorney, Brett Lashley