

RESOLUTION NO. 36-08-09

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE CERTIFICATION AND ADOPTION OF A STORMWATER ASSESSMENT ROLL IN ACCORDANCE WITH CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 1, Florida Constitution (1968), and Chapter 166, Florida Statutes, the Town Commission of the Town of Lake Park, Florida (Town) has all powers of local self-government to perform municipal functions and to render municipal services in a manner not inconsistent with general or special law, and such power may be exercised by the enactment of municipal ordinances;

WHEREAS, the Town Commission of the Town did, on July 16, 2008, adopt Ordinance No. 09-2008, which provides for the creation and establishment of a Stormwater Management System to be paid for by assessments pursuant to the uniform method of collection; and

WHEREAS, Ordinance No. 09-2008 establishes that the rate for stormwater management assessments for each parcel within the benefited area shall be established each year by the adoption of a resolution of the Town Commission: and

WHEREAS, the Town Commission of the Town has adopted Resolution No. 33-08-09 setting the rate for an equivalent stormwater unit (ESU) to be charged for stormwater management for Fiscal Year 2009-2010: and

WHEREAS, the Town Commission of the Town has found that owners, tenants and occupants of property within the geographical boundaries of the Town will derive a special benefit from the effective management of stormwater and other surface water and from the operation, maintenance and expansion of the stormwater management system; and

WHEREAS, a public hearing on this resolution certifying a stormwater assessment roll was duly noticed and held:

WHEREAS, the owner of each parcel within the benefited area for which a stormwater assessment is levied shall thereafter be responsible for payment therefore.

NOW THEREFORE, be it resolved by the Town Commission of the Town of Lake Park, Florida:

Section 1. Legislative Intent. The foregoing whereas clauses are hereby ratified and confirmed as being true and correct and are incorporated herein.

Section 2. Adoption of Assessment Roll. The Town Commission hereby adopts and certifies the Stormwater Management Assessment Roll, a copy of which is on file in the office of the Town Clerk.

Section 3. Effective date. This resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Vice-Mayor Carey who moved its adoption. The motion was seconded by Commissioner Rumsey and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	___
VICE-MAYOR JEFF CAREY	<u>/</u>	___
COMMISSIONER ED DALY	<u>/</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	___
COMMISSIONER KENDALL RUMSEY	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 36-08-09 duly passed and adopted this 19 day of August, 2009.

TOWN OF LAKE PARK, FLORIDA

BY: Desca DuBois
DESCA DUBOIS
MAYOR

ATTEST:

Vivian M. Lemley
VIVIAN M. LEMLEY
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY