

ORDINANCE NO. 07- 2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-120 OF THE TOWN CODE PERTAINING TO SPECIAL EVENT PERMIT REQUIREMENTS; PROVIDING FOR THE AMENDMENT OF SECTION 18-120(b) RELATED TO THE FREQUENCY OF SPECIAL EVENTS; PROVIDING FOR THE CREATION OF SECTION 18-120(c); PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; 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 Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted regulations and criteria in Chapter 18 of the Town’s Code of Ordinances (Code) which must be met pertaining to applications for special event permits; and

WHEREAS, the Community Development Director has recommended to the Town Commission that Section 18-120(b) of the Code be amended to increase the number or frequency of certain special events based on the anticipated attendees; and

WHEREAS, the Town Commission, has reviewed the Community Development Director’s recommendations and has determined that amending Section 18-120(b) of the Code is appropriate, necessary, and furthers the public health, safety and general welfare.

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

Section 1. The whereas clauses are hereby incorporated as true and correct findings of fact of the Town Commission.

Section 2. Chapter 18, Article IV, Section 18-120(b) is hereby amended as follows:

Sec. 18-120. - Special event permit required.

(b) Town-sponsored events are not subject to the frequency requirements of this section. Special event permits may be issued by the town for single use special events and for multiple special events. ~~not to exceed more than 12 special events per property per calendar year, with not more than four special events per calendar year per the same applicant, or any person or entity affiliated with a prior permit holder.~~ Special event permits are not intended, nor shall the issuance of a special event permit by the town be deemed or construed to supersede existing zoning, and other town laws or regulations, or to effectuate or constitute a waiver of such regulations.

(c) Applicants proposing to host special events are subject to the following limitations:

A property which is the subject of an application is entitled to host a maximum of 12 special events per calendar year. The special event hosted on the property is permitted for up to 2 consecutive days.

Events, that in the opinion of the town, can be anticipated to attract 1,000-4,999 participants, shall be entitled to host 4 special events per calendar year in addition to the 12 listed hereinabove, provided the events are hosted in the following designated areas: Kelsey Park, Lake Shore Park, Bert Bostrom Park or within the Park Avenue Downtown District.

Section 3. **Severability.** If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. **Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. **Codification.** The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the Ordinance maybe renumbered or re-lettered to accomplish such.

Section 6. **Effective date.** This Ordinance shall take effect immediately upon passage.

Upon First Reading this 3 day of October, 2018, the foregoing Ordinance was offered by Commissioner Michaud, who moved its approval. The motion was seconded by Commissioner Lynch and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>Absent</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>Absent</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 7 DAY OF October, 2018

Upon Second Reading this 17 day of October, 2018, the foregoing Ordinance, was offered by Commissioner Flaherty, who moved its adoption. The motion was seconded by Commissioner Michaud and being put to a vote, the result was as follows:

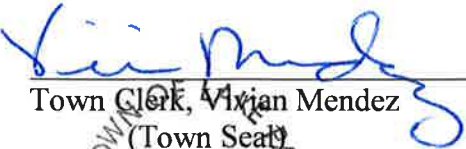
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 07-2018 duly passed and adopted this 17 day of October, 2018.


TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor, Michael O'Rourke

ATTEST:


Town Clerk, Vixian Mendez
(Town Seal)

Approved as to form and legal sufficiency:


Town Attorney, Thomas J. Baird

TOWN OF LAKE PARK
SEAL

FLORIDA

**LEGAL NOTICE OF PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, October 17, 2018 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE NO. 07-2018

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ORDINANCE NO. 12-2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 24, ARTICLE I, OF THE TOWN CODE CREATING SECTION 24-15 PERTAINING TO THE COLLECTION OF DEBRIS, TRASH, VEGETATIVE YARD WASTE OR RECYCLING MATERIALS DURING THE TIME OF AN EMERGENCY DECLARATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post October 7, 2018.