

ORDINANCE NO. 11-2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 70-101(14) OF CHAPTER 70, ARTICLE IV TO RECOGNIZE AN EXEMPTION FOR CERTAIN HISTORICAL OR NOSTALGIC SIGNS IN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida 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 a comprehensive sign Code which has been codified in Chapter 70, Articles I through IV, and Sections 70-1 through 70-108 of the Town's Code of Ordinances; and

WHEREAS, the Community Development Director has recommended the amendment of Town Code, Chapter 70, Article IV, Section 70-101(14), to allow for an exemption for certain signs which have been determined to be of historical or nostalgic significance in the Town.

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

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

Section 2. Chapter 70, Article IV, Section 70-101(14) of the Town Code is hereby amended to add a new exemption to subsection (14), to read as follows:

(14) Historical signs and markers designating places of historical significance, or nostalgic signs. The Community Development Department may approve certain signs with historic or nostalgic significance provided the sign is historically designated and a special certificate of appropriateness is processed and approved, as required per the Town's Historic Preservation guidelines. The owner of a property with a historic or nostalgic sign may apply for designation and a special certificate of appropriateness as may be required. ~~A special certificate of appropriateness may be issued for a nostalgic sign provided it is determined that the sign has value as a part of the heritage of the town based upon documentation which demonstrates the nostalgic value of the sign.~~

Section 3. 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 4. 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 5. Repeal of Laws in Conflict.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Town Commission.

Upon First Reading this 5th day of September, 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>✓</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>✓</u>	_____
COMMISSIONER ANNE LYNCH	<u>✓</u>	_____
COMMISSIONER ROGER MICHAUD	<u>✓</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF September, 2018

Upon Second Reading this 19 day of September, 2018, the foregoing Ordinance, was offered by Commissioner Flaherty, who moved its adoption. 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>✓</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.** 11-2018 duly passed and adopted this 19 day of September, 2018.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

[Signature]
Town Clerk, Mirjan Mendez
(Town Seal)
TOWN OF LAKE PARK
SEAL

Approved as to form and legal sufficiency:
[Signature]
Town Attorney, Thomas J. Baird

FLORIDA

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

Please take notice that on Wednesday, September 19, 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:

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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 Shaquita Edwards, Deputy Town Clerk at 561-881-3311.

Shaquita Edwards, Deputy Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post September 9, 2018.