

**ORDINANCE NO. 16- 2018**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 16, ARTICLE I, OF THE TOWN CODE ENTITLED “OFFENSES”; PROVIDING FOR THE AMENDMENT OF SECTIONS 16-1 AND 16-3 PERTAINING TO UNLAWFUL TRESPASS ON PUBLIC LANDS AND TO PROVIDE FOR PENALTIES ASSOCIATED WITH UNLAWFUL TRESSPASSING; 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 Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has previously adopted Chapter 16, Article I of the Town Code related to ‘Offenses’; and

**WHEREAS**, the Palm Beach County Sheriff’s Office has requested that the Town consider incorporating enforcement provisions in Chapter 16, Article I, to enhance the public health, safety and welfare; and

**WHEREAS**, the Town Commission, has determined that the amendment to Chapter 16, Article I, Sections 16-1 and 16-3 of the Town Code would further the public health, safety and general welfare by allowing for additional enforcement.

**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. Section 16-1 and 16-3 are hereby amended as follows:**

**Sec. 16-1. - Adoption of state law misdemeanors; penalties.**

It shall be unlawful to commit within the corporate limits of the town any act which is or shall be recognized by the laws of the state as a misdemeanor and the commission of such acts is hereby forbidden. The Town's law enforcement agency and any other duly authorized law enforcement agency shall strictly enforce the provisions of this section. A person who violates any portion of this Chapter shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days, or by both.

**State Law reference—** Fines and forfeitures in county court payable to the municipality, F.S. § 34.191; punishment for misdemeanors, F.S. §§ 775.082; 775.083; arrests, F.S. ch. 901; notice in lieu of arrest, F.S. 901.27 et seq. see also F.S. general index under heading of "crimes" for listing of state law misdemeanors.

**Sec. 16-3. - Unlawful to trespass or lodge on public lands.**

It shall be unlawful for any person to trespass, lodge, settle or camp in or upon any public park area, public way, right-of-way, parking lot or other public property within the town without having received the authorization of the appropriate governmental entity. In the case of public properties owned by the town, a person who proposes to occupy a property shall first have obtained a special event permit from the town. ~~consent of the town commission for a special events permit issued under section 18-121.~~

Upon First Reading this 5 day of December, 2018, the foregoing Ordinance was offered by Commissioner Flaherty, who moved its approval. 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>	_____

**PUBLISHED IN THE PALM BEACH POST THIS 10 DAY OF December, 2018**

Upon Second Reading this 19 day of December, 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:

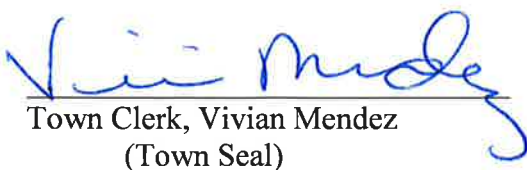
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>Absent</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

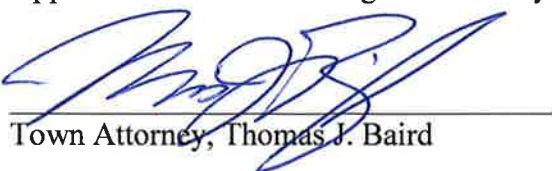
The Mayor thereupon declared **Ordinance No.** 16-2018 duly passed and adopted this 19 day of December, 2018.

TOWN OF LAKE PARK, FLORIDA

BY:   
Mayor, Michael O'Rourke

ATTEST:

  
Town Clerk, Vivian Mendez  
(Town Seal)

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

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

Please take notice that on Wednesday, December 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:

**ORDINANCE NO. 15- 2018**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE III, OF THE TOWN CODE ENTITLED "PARK REGULATIONS"; PROVIDING FOR THE AMENDMENT OF SECTION 18-63 TO PROVIDE FOR PENALTIES FOR VIOLATION OF THE PROVISIONS OF SECTION 18-63; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ORDINANCE NO. 16- 2018**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 16, ARTICLE I, OF THE TOWN CODE ENTITLED "OFFENSES"; PROVIDING FOR THE AMENDMENT OF SECTIONS 16-1 AND 16-3 PERTAINING TO UNLAWFUL TRESPASS ON PUBLIC LANDS AND ASSOCIATED PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ORDINANCE No. 17- 2018**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 71, SECTION 71-1(1) OF THE TOWN CODE ENTITLED "MURALS" TO EXPAND THE MURAL APPLICABILITY BOUNDARIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; 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 December 10, 2018.