

ORDINANCE NO. 16-2017

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 70-101(14) OF CHAPTER 70, ARTICLE IV, PROVIDING FOR AN AMENDMENT 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 staff has recommended that the Town Commission amend Town Code, Chapter 70, Article IV, Section 70-101(14), to allow for an exemption for certain signs considered to be of nostalgic significance in the Town, and permitting same by the issuance of a Special Certificate of Appropriateness process for these signs.

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 a Special Certificate of Appropriateness is processed and approved. The owner of a property with a historic or nostalgic sign may apply for a Special Certificate of Appropriateness. 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 18 day of October, 2017, the foregoing Ordinance was offered by Vice-Mayor Glas-Castro, who moved its approval. The motion was seconded by Commissioner Flaherty 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 22 DAY OF October, 2017

Upon Second Reading this 1 day of November, 2017, the foregoing Ordinance, was offered by Vice-Mayor Glas-Castro, who moved its adoption. The motion was seconded by Commissioner Michaud and being put to a vote, the result was as follows:

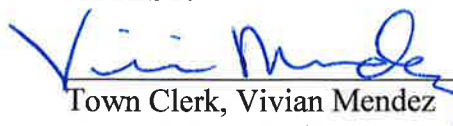
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>Absent</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

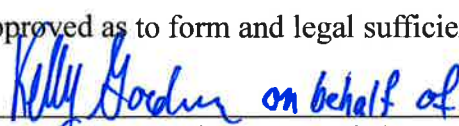
The Mayor thereupon declared **Ordinance No.** 16-2017 duly passed and adopted this 1 day of November, 2017.

TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor, Michael O'Rourke

ATTEST:


Town Clerk, Vivian Mendez
(Town Seal)

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