

ORDINANCE NO. 8 - 2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-123 OF THE TOWN CODE PERTAINING TO THE CRITERIA FOR APPROVAL OF SPECIAL EVENT PERMITS; PROVIDING FOR THE AMENDMENT OF SECTION 18-123(7) RELATED TO REQUIRING LIQUOR LEGAL LIABILITY INSURANCE; 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 adopted regulations and criteria in Chapter 18 of the Town's Code of Ordinances which must be met pertaining to an organization's application for a special event permit; and

WHEREAS, Town Manager has recommended to the Town Commission that Section 18-123(7) of Chapter 18 be amended to permit the promoter of an event to use a separate entity's liquor license so that special event promoters can serve alcohol at their event; and

WHEREAS, the Town Commission, has reviewed the Town Manager's recommendations and has determined that amending Section 18-123(7) 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. **Sections 18-123(7)**

Sec. 18-123. Additional criteria for permit approval.

(7) Insurance. Insurance is required for those entities which propose to host special events on Town owned property. Insurance coverage must be obtained by the applicant in advance of the special event. The applicant shall submit a certificate of insurance coverage submitted to the Town that and demonstrates to the satisfaction of the Town that the applicant has commercial general liability evidenced by a certificate of insurance coverage with limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, and which names naming the Town of Lake Park as the certificate holder and as an additional insured with respect to commercial general liability. If the applicant proposes to serve alcoholic beverages liquor is to be served at the special event, thea certificate of insurance, provided by the applicant or another entity with a license to serve alcoholic beverages shall submit a certificate of insurance which demonstrates to the satisfaction of the Town that the applicant or other entity maintains must include liquor legal liability insurance coverage usual to the insured's operations, pertaining to the serving of alcoholic beverages with the minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, naming the Town of Lake Park as an additional insured. Proof of insurance to the satisfaction of the Town which covers the applicant or other entity's liability insurance pertaining to serving alcoholic beverages must be submitted to the Town prior to the issuance of the a special event permit. Applicants which are found to have attempted to circumvent this requirement by using another person/entity for the purposes of obtaining the required insurance coverage shall be barred from obtaining another special event permit within the Town for three years.

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 7 day of September, 2016, the foregoing Ordinance was offered by Commissioner Flaherty, who moved its approval. The motion was seconded by Commissioner O'Rourke and being put to a vote, the result was as follows:

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

PUBLISHED IN THE PALM BEACH POST THIS 11 DAY OF September, 2016

Upon Second Reading this 21 day of September, 2016, the foregoing Ordinance, was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

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

The Mayor thereupon declared **Ordinance No.** 08-2016 duly passed and adopted this 21 day of September, 2016.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois
Mayor, James DuBois

ATTEST:

Vivian Mendez
Town Clerk, Vivian Mendez
(Town Seal)

Approved as to form and legal sufficiency:

Thomas J. Baird
Town Attorney, Thomas J. Baird

FLORIDA

The Palm Beach Post

Palm Beach Daily News



RECEIPT

LEGAL NOTICE OF PROPOSED ORDINANCE TOWN OF LAKE PARK

Please take notice that on Wednesday, September 21, 2016, 2016 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. 06-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 78, ARTICLE I, SECTION 78-6 OF THE LAKE PARK TOWN CODE, ENTITLED 'REASONABLE ACCOMMODATION PROCEDURES' IN ITS ENTIRETY AND REPLACING IT WITH NEW REASONABLE ACCOMMODATION REGULATIONS TO PROTECT PERSONS WITH DISABILITIES DUE TO SUBSTANCE ABUSE AND THE GENERAL PUBLIC; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 07-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, SECTION 2-24 PERTAINING TO THE RECORDING AND INVENTORY OF CERTAIN PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 08-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-123 OF THE TOWN CODE PERTAINING TO THE CRITERIA FOR APPROVAL OF SPECIAL EVENT PERMITS; PROVIDING FOR THE AMENDMENT OF SECTION 18-123(7) RELATED TO REQUIRING LIQUOR LEGAL LIABILITY INSURANCE; 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

PUB: The Palm Beach Post
9-11/2016 #649228