

**ORDINANCE NO. 10-2013**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-112 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, PERTAINING TO THE APPOINTMENT OF MEMBERS TO TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; 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 general provisions pertaining to the appointment of the membership of certain Town boards and committees which have been codified in Section 2-112 of the Town’s Code of Ordinances; and

**WHEREAS**, certain provisions of Code Section 2-112 of the Town’s Code of Ordinances require amendment, repeal, modification, or revision; and

**WHEREAS**, Town staff has recommended to the Town Commission that Section 2-112 (i), and (j) of the Town Code of Ordinances be amended, and

**WHEREAS**, the Town Commission has reviewed this recommendation and agrees with the Town staff’s recommendation to amend Section 2-112 (i), and (j), of the Town’s Code of Ordinances regarding the appointment of regular and alternate members of certain boards and committees and the nomination for action on vacancies on any such board or committees.

**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 findings of the Town Commission.

**Section 2.** Chapter 2, Article IV, Division 1, Section 2-112 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended as follows:

**Sec. 2-112. Membership on certain boards and committees terminated for missing meetings; filling vacancies.**

(i) ~~Ballet~~ Nomination for action on vacancies. The clerk shall prepare ~~the ballot~~ a list of volunteers, including members who seek reappointment, along with the profile sheet for commission action on a vacancy. ~~The ballot list of volunteers shall include the name of each person seeking the appointment for which a profile sheet has been timely received. Each person seeking appointment shall be identified as a current member, current first alternate member, current second alternate member or new applicant, as appropriate. The commission may interview board and committee members appearing on the clerk's list who volunteer for reappointment or appointment. A nomination to fill a vacancy may be made by any member of the commission. For a nominee to be appointed there must be a second and majority vote of the commission. The clerk shall receive, tally and announce the results at the town commission meeting at which the balloting occurs.~~ Thereafter, the clerk shall notify each volunteer applicant in writing of the ~~town~~ commission's action ~~upon the applicant's request for appointment.~~

(j) Vacancies on a board or committee shall be automatically filled by an alternate member of that board or committee for the unexpired term. If two vacancies occur at the same time, the second vacancy shall be filled by the second alternate for the unexpired term. If a board or committee has more than two vacancies, the Town Commission may appoint temporary members, as necessary, who shall serve until the Commission makes a regular appointment. The Town Clerk shall notify an alternate upon a change in status.

**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.** **Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and 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 6.** **Effective Date.** This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 7 day of August, 2013, the foregoing Ordinance was offered by Commissioner O'Rourke, 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 JAMES DUBOIS	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

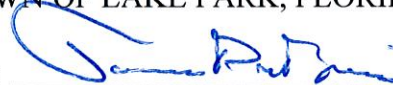
**PUBLISHED IN THE PALM BEACH POST THIS 11 DAY OF August, 2013**

Upon Second Reading this 21 day of August, 2013, the foregoing Ordinance, was offered by Commissioner Rapoza, who moved its adoption. The motion was seconded by Vice-Mayor Glas-Castro 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 MICHAEL O'ROURKE	<u>Absent</u>	_____
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 10-2013 duly passed and adopted this 21 day of August, 2013.

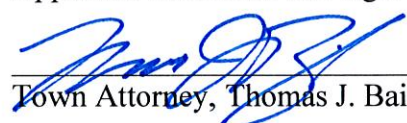
TOWN OF LAKE PARK, FLORIDA

BY:   
Mayor, James DuBois

ATTEST:

  
Town Clerk, Vivian Mendez  
(Town Seal)  
TOWN OF LAKE PARK  
SEAL

Approved as to form and legal sufficiency:

  
Town Attorney, Thomas J. Baird

FLORIDA

# RECEIPT

Ad Name: 240653A Ad ID: 240653 Original Ad ID:

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Stop: 08-11-2013  
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**Editions:**  
PB Post Web  
PB Post

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

Please take notice that on Wednesday, August 21, 2013 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. 10-2013**  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-112 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, PERTAINING TO THE APPOINTMENT OF MEMBERS TO TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; 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  
8-11/2013 #112698

Ad shown is not actual print size.

**Palm Beach Post, The**

08/11/2013

Miscellaneous Notices

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Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk

Town of Lake Park, Florida

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