

**ORDINANCE No. 17-2009**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, DIVISION 2, SECTION 2-51, OF THE TOWN CODE ENTITLED "MEETINGS" TO CHANGE THE TIME REGULAR MEETINGS OF THE TOWN COMMISSION BEGIN; 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 is a duly constituted municipality having the power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has adopted a municipal Code of Ordinances, which contains among other matters, provisions pertaining to officials elected to the office of Town Commission and to the meetings of those officials; and

**WHEREAS**, the Town Commission has determined it is in the best interests of the Commission and the residents, businesses and property owners of the Town to change the regular meeting time of the Town Commission from 7:30 pm to 7:00 pm on the first and third Wednesday of the month.

**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 the legislative findings of the Town Commission.

**Section 2.** Article II, Division 2, Section 2-51, entitled "Schedule" of the Town Code is hereby amended to read as follows:

DIVISION 2. MEETINGS\*

Sec. 2-51. Schedule.

All meetings of the town commission shall be scheduled as follows:

- (1) Regular meetings of the town commission shall be conducted on the first and third Wednesdays of each month commencing at ~~7:30~~ 7:00 p.m.
- (2) The regular and special meetings and workshops of the town commission shall be adjourned on or before 11:00 p.m. on the date when the meeting convened.
- (3) Special meetings of the town commission shall be scheduled, with at least 48 hours' public notice, upon majority vote of its members at any regular meeting.
- (4) Emergency meetings of the town commission shall be conducted on the call of the mayor, the vice-mayor in the mayor's absence, or a majority of its members upon, whenever practical, not less than 12 hours' written notice to each member, the town manager, the town clerk, the town attorney and the public. Said notice shall contain a brief description of the nature and necessity of the emergency meeting and shall be undersigned by the official calling for same. The first order of business at any emergency meeting shall be a restatement and detailed explanation of the nature and necessity of the meeting, for the record, by the presiding official. Such meetings shall be called only in response to a matter requiring commission action which, if unaddressed prior to the next regularly scheduled meeting, is likely to result in serious harm or loss to the town.
- (5) Workshop meetings of the town commission shall be scheduled upon majority vote of its members at any regular or special meeting for the purpose of planning, discussion and study. No official action shall be taken by the town commission at such meetings.
- (6) The town commission may, by resolution adopted at any regular meeting, cancel or reschedule any subsequent regular meeting.
- (7) In the event a special or workshop meeting of the Commission is scheduled on the Commission's regular meeting date, the Commission may begin its regular meeting immediately following the adjournment of the special or workshop meeting or as soon thereafter as the Commission deems appropriate provided the notice of the special or workshop meeting has stated the Commission's intention to do so.

**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 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 18 day of November, 2009, the foregoing Ordinance, was offered by Commissioner Daly, who moved its approval. The motion was seconded by Commissioner Rumsey and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	_____
VICE MAYOR JEFF CAREY	<u>/</u>	_____
COMMISSIONER ED DALY	<u>/</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	_____
COMMISSIONER KENDALL RUMSEY	<u>/</u>	_____

**PUBLISHED IN THE PALM BEACH POST THIS 6 DAY OF December, 2009**

Upon Second Reading this 16 day of December, 2009, the foregoing Ordinance, was offered by Vice-Mayor Carey, who moved its adoption. The motion was seconded by Commissioner Rumsey and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	_____
VICE MAYOR JEFF CAREY	<u>/</u>	_____
COMMISSIONER ED DALY	<u>/</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	_____
COMMISSIONER KENDALL RUMSEY	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No. 17-2009** duly passed and adopted this 16 day of December, 2009.

TOWN OF LAKE PARK, FLORIDA  
 BY: Desca DuBois  
 Mayor, Desca DuBois

ATTEST:  
Vivian M. Lemley  
 Town Clerk, Vivian M. Lemley  
 (Town Seal)  
 TOWN OF LAKE PARK  
 SEAL

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

FLORIDA