

ORDINANCE NO. 03-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 66, SECTION 66-10 ENTITLED "APPLICATION FOR CERTIFICATE OF APPROPRIATENESS;" 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 adopted general provisions pertaining to the protection of historic structures within the Town which have been codified in Chapter 66, of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that Town Code Section 66-10 be amended to provide for the deletion of certain requirements that mandate the review of non-significant and undesignated structures; and

WHEREAS, the Town Commission, after due notice and public hearings, deems it to be in the interest of the public health, safety and general welfare to amend the Town's Code to provide for such additional regulations and procedures;

WHEREAS, the amendment of Section 66-10 would further the public's health, safety and general welfare; and would preserve and enhance property values within the Town, generally; and

WHEREAS, the purpose and intent of the amendment of this Code Section is to relieve the obligation of non-significant and undesignated structures within the Town to be reviewed by the Historical Preservation Board.

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. Chapter 66, Section 66-10 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 66-10. Application for certificate of appropriateness.

(a) *Certificate required as prerequisite to alteration, etc.* No building, structure, improvement, landscape feature or archeological site within the town, which is designated pursuant to section 66-9 ~~or has been identified as 50 years old or older in the Lake Park Historical Structure Survey, dated June 1998, shall~~ may be erected, altered, restored, renovated, excavated, moved or demolished until an application for a certificate of appropriateness regarding any architectural features, landscape features or site improvements, has been submitted to and approved pursuant to the procedures in this section. As a prerequisite to the alteration, etc., of a single family home which has been identified as being 50 years or older in the Lake Park Historical Structure Survey, dated June 1998, the community development director shall notify the owner that the home is one of the sites identified in the Lake Park Historical Structure Survey dated 1998 as being eligible for listing on the local historic register. The community development director shall notify the owner of their eligibility for designation, and seek designation with the owner's consent. All collateral materials, including incentive opportunities shall be provided to the homeowner.

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 may be renumbered or re-lettered to accomplish such.

Section 6. **Effective date.** This Ordinance shall take effect immediately upon passage.

Upon First Reading this 6 day of June, 2007,
the foregoing Ordinance 03-2007, was offered by Commissioner Balius
who moved its approval. The motion was seconded by Commissioner Osterman,
and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u> </u> ABSENT	<u> </u>
VICE MAYOR ED DALY	<u> X </u>	<u> </u>
COMMISSIONER CHUCK BALIUS	<u> X </u>	<u> </u>
COMMISSIONER JEFF CAREY	<u> X </u>	<u> </u>
COMMISSIONER PATRICIA OSTERMAN	<u> X </u>	<u> </u>

Upon Second Reading this 18 day of July, 2007, the foregoing
Ordinance 03-2007, was offered by Commissioner Carey who
moved its adoption. The motion was seconded by Commissioner Balius,
and being put to a vote, the result was as follows:

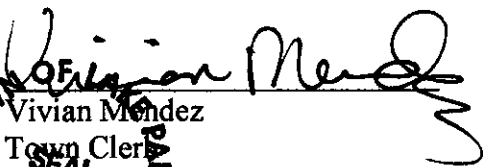
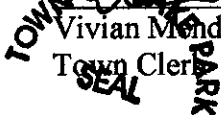
	AYE	NAY
MAYOR PAUL CASTRO	<u> X </u>	<u> </u>
VICE MAYOR ED DALY	<u> X </u>	<u> </u>
COMMISSIONER CHUCK BALIUS	<u> X </u>	<u> </u>
COMMISSIONER JEFF CAREY	<u> X </u>	<u> </u>
COMMISSIONER PATRICIA OSTERMAN	<u> X </u>	<u> </u>

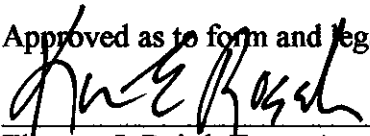
The Mayor thereupon declared Ordinance No. 03-2007 duly passed and adopted this
18 day of July, 2007.

TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor Paul Castro

ATTEST:


Vivian Mendez
Town Clerk


Approved as to form and legal sufficiency:

Thomas J. Baird, Town Attorney

FLORIDA