

ORDINANCE NO. 12-2007

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 20 PERTAINING TO SECOND HAND GOODS, ARTICLE II GOVERNING GARAGE SALES, SECTION 20-32 ENTITLED "PERMIT REQUIRED" TO REDUCE THE GARAGE SALE PERMIT FEE; 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 second hand goods, including garage sales which have been codified in Chapter 20, Article II, Section 20-32 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 20-32 be amended to reduce the permit fee from \$50.00 to \$5.00 for garage sales held within the Town; 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 Section 20-32 of the Town's Code to reduce garage sale permit fees.

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.

Section 2. Chapter 20, Article II, Section 20-32 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 20-32. Permit required.

No garage sale may be conducted within the town without a permit having been first issued for such sale by the community development department of the town. Such permit shall set forth and restrict the time and location of such garage sale. There shall be an administrative processing fee of five dollars (\$5.00) ~~\$50.00 or higher~~ for the issuance of such permit. No more than two such permits may be issued to one single-family or duplex residence and/or family or household during any calendar year. When two or more families or households join together to conduct such a sale, each shall obtain a permit and such permit shall be counted as one of the two above-permitted sales for each family or household participating. Such permit shall be limited in time to no more than the daylight hours of two consecutive days.

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 provisions 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 relettered to accomplish such.

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

Upon First Reading this 20 day of June, 2007,
 the foregoing Ordinance 12-2007, was offered by Commissioner Carey
 who moved its approval. 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>	_____
VICE MAYOR ED DALY	<u>X</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	_____

Upon Second Reading this 18 day of July, 2007, the foregoing
 Ordinance 12-2007, 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:

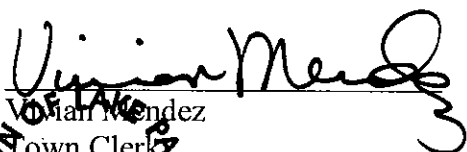
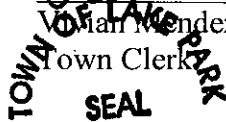
	AYE	NAY
MAYOR PAUL CASTRO	_____	<u>X</u>
VICE MAYOR ED DALY	<u>X</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	_____

The Mayor thereupon declared Ordinance No. 12-2007 duly passed and adopted this
18 day of July, 2007.

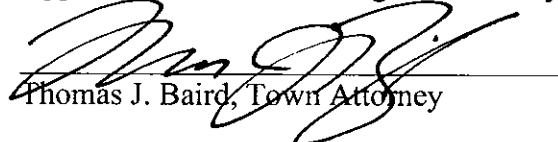
TOWN OF LAKE PARK, FLORIDA

BY: 
 Mayor Paul Castro

ATTEST:


 Virginia Mendez
 Town Clerk


Approved as to form and legal sufficiency:


 Thomas J. Baird, Town Attorney

FLORIDA