

## **ORDINANCE NO. 03-2006**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF LAKE PARK, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING THE CODE; AND PROVIDING WHEN THE CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**WHEREAS**, pursuant to Article VIII, §2(b) of the Constitution of the State of Florida and Chapter 166, Florida Statutes, the Town of Lake Park, Florida (the "Village") has the governmental and corporate powers of a duly constituted municipality; and

**WHEREAS**, the Town Commission has adopted general and permanent ordinances which up until now were codified in the 1978 Code of Ordinances, supplemented through November 5, 2003, and supplemented with ordinances that were subsequently adopted by the Town Commission; and

**WHEREAS**, the Town Attorneys, Town staff, and representatives of the Municipal Code Corporation have identified a need to update and re-codify the 1978 Code, in order to correct inconsistencies within the Code, conform provisions of the Code to state and judicial law, and to create a new Code which will reflect the existing and active law of the Town; and

**WHEREAS**, Town staff has recommended to the Town Commission that it adopt the 2006 Code of Ordinances, which constitutes a recodification of the general and permanent ordinances of the Town, using the 1978 Code of Ordinances, supplemented through November 5, 2003, and further supplemented with ordinances that were subsequently adopted by the Town Commission as source materials in the preparation thereof, and to provide for an effective therefore; and

**WHEREAS**, the Town Commission has considered the recommendations of Town staff, and deems it in the best interests and in support of the general health, safety and welfare to adopt the 2006



Code of Ordinances for the Town of Lake Park.

**BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1.** The Code entitled "Code of Ordinances, Town of Lake Park, Florida," (hereinafter referred to as the "Code") published by Municipal Code Corporation, consisting of Chapters 1 through 78, each inclusive, is hereby adopted.

**Section 2.** All ordinances of a general and permanent nature enacted on or before December 21, 2005, and not included in the Code, or recognized and continued in force by reference therein, are hereby repealed.

**Section 3.** The repeal provided for in Section 2 hereof, shall not be construed to revive any ordinance or part thereof, that has been repealed by a subsequent ordinance that is repealed by this Ordinance.

**Section 4.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code, or any ordinance, rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine of not more than \$500.00, imprisonment for a term not exceeding sixty (60) days, or any combination thereof. Each act of violation and each day upon which any such violation shall continue or occur, shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Section 5.** Additions or amendments to the Code, when passed in such form as to indicate an intention to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 6.** Ordinances adopted after December 21, 2005, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**Section 7.** This Ordinance shall become effective upon adoption.