



AGENDA

Lake Park Town Commission
 Town of Lake Park, Florida
 Regular Commission Meeting
 Wednesday, September 17, 2008,
 Immediately following the
 Special Call CRA Board Meeting,
 Lake Park Town Hall
 535 Park Avenue

Desca DuBois	—	Mayor
Edward Daly	—	Vice-Mayor
G. Chuck Balius	—	Commissioner
Jeff Carey	—	Commissioner
Patricia Osterman	—	Commissioner
.....		
Maria V. Davis	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person 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. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER**

B. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

F. **PUBLIC and OTHER COMMENT**

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember, comments are limited to a TOTAL of three minutes.

G. **COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:**

- H. **CONSENT AGENDA**: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

For Approval:

- | | |
|---|-------|
| 1. Regular Commission Meeting Minutes of August 20, 2008 | Tab 1 |
| 2. Special Call Commission Meeting Minutes of August 27, 2008 | Tab 2 |
| 3. Regular Commission Meeting Minutes of September 3, 2008 | Tab 3 |
| 4. Special Call Commission Meeting Minutes of September 10, 2008 | Tab 4 |
| 5. Purchase Sterling Model L Tandem Axle Vac-Con Storm Water Utility Vehicle | Tab 5 |
| 6. Proclamation Declaring Constitution Week | Tab 6 |
| 7. Resolution No. 58-09-08 Urging Solid Waste Authority to Locate the Proposed New Landfill at its Current Western Site Rather than Any Alternative Sites | Tab 7 |

I. **PUBLIC HEARING(S)**

ORDINANCE ON FIRST READING:

8. **ORDINANCE NO. 10-2008 Business Tax** Tab 8
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ORDINANCE 22-2007 AS RECENTLY CODIFIED IN CHAPTER 28 AT SECTION 28-51 OF THE TOWN CODE WHICH INCREASED THE ANNUAL BUSINESS TAX BY 25% FOR THE BUSINESSES LISTED IN ORDINANCE 22-2007; PROVIDING FOR THE REPEAL OF SECTION 28-43 ENTITLED "SELF-CLASSIFICATION OF BUSINESS MERCHANT"; PROVIDING FOR THE AMENDMENT OF SECTION 28-45, ENTITLED "ADDITIONAL TAX BASED ON MERCHANDISE STOCK;" PROVIDING FOR THE AMENDMENT SECTION 28-51 ENTITLED "SCHEDULE OF TAXES AND REGULATIONS" TO INCREASE THE ANNUAL BUSINESS TAX CHARGED BY THE TOWN FOR THOSE CLASSIFICATIONS OF BUSINESSES, OCCUPATIONS, AND PROFESSIONS AS THEY EXISTED PRIOR TO THE ADOPTION OF ORDINANCE 22-2007 BY 5% PURSUANT TO SECTION 205.0535, FLA. STAT. (2007); PROVIDING FOR THE AMENDMENT OF THAT PORTION OF SECTION 28-51 REQUIRING ALL BUSINESSES CLASSIFIED AS MERCHANTS TO PAY AN INVENTORY TAX ON ALL STOCK OF MERCHANDISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **ORDINANCE NO. 16-2008 Abandonment of Public Right-of-ways** Tab 9
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN

OF LAKE PARK, CHAPTER 72, ARTICLE 1, PERTAINING TO STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; CREATING SECTION 72-2 ENTITLED "CRITERIA FOR ABANDONING RIGHTS-OF-WAY;" CREATING SECTION 72-3 ENTITLED "APPLICATION FOR ABANDONMENT;" CREATING SECTION 72-4 ENTITLED "PROCEDURES FOR ABANDONMENT APPLICATIONS;" CREATING SECTION 72-4 ENTITLED "COMMISSION HEARING AND REPORT;" CREATING SECTION 72-6 ENTITLED "RECORDING;" PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

J. PUBLIC HEARING:
RESOLUTION(S):

10. RESOLUTION NO. 48-09-08 Millage

Tab 10

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2008/2009; PROVIDING FOR AN EFFECTIVE DATE.

11. RESOLUTION NO. 49-09-08 FY 08-09 Budget

Tab 11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

K. ADJOURNMENT:

Consent Agenda

TAB 1

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 1*

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Regular Commission Meeting Minutes of August 20, 2008.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Regular Commission Meeting of August 20, 2008.

Approved by Town Manager

W.P. Davis

Date:

9/10/08

*James L. H...
Deputy Clerk*

9/3/08

Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <i>VMC</i> <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____ Please initial one.

Summary Explanation/Background:



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
August 20, 2008 7:40 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 20, 2008 at 7:40 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioners Balius, and Carey, and Osterman, Attorney Thomas Baird, Town Manager Maria Davis and Town Clerk Vivian Mendez Lemley.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Mendez Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Balius to approve the Agenda; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PROCLAMATION:

Chris Dellago of CWA

Mayor DuBois explained that a near drowning incident occurred in the Lake Worth Lagoon off Lake Shore Park on July 25, 2008 wherein Mr. Dellago rescued the drowning victim.

Mayor DuBois read the Proclamation to Chris Dellago of CWA.

Mr. Dellago accepted the Proclamation and thanked the Commission.

Certificates of Recognition

James Skrandel, Walter Thomas, Don Cragette, and Antonio Tzep

Mayor DuBois presented certificates to Don Cragette, Walter Thomas, Antonio Tzep, and James Skrandel in recognition of their efforts in the rescue of the drowning victim at Lake Shore Park on July 25, 2008.

PRESENTATION

Review of Comprehensive Annual Financial Report (CAFR)

Finance Director Anne Costello introduced Terry Mortan of Nowlen, Holt and Miner, P.A. from the firm that performed the external audit for the Town. She stated that he would comment on the audit.

Mr. Mortan read over the Table of Contents (see Exhibit "A") to give an overview of the content of the report.

Commissioner Balius asked if the Town was going to make it. He stated that there had been problems in the past with the Town's Finance Department. He asked Mr. Mortan if he saw any issues.

Mr. Mortan stated that the audit had not revealed any issues with the Town's Finance Department.

Vice-Mayor Daly stated that it was a blow to find out that funds were not paid in the past to the CRA. He expressed his concerns and stated that the Town needed to be sure that it was paying its bills and allocating its funds correctly.

Discussion ensued among the Commissioners regarding mistakes made in the past by the Finance Department and the previous audit firm.

Mayor DuBois thanked Mr. Mortan for his presentation.

Discussion ensued among the Commissioners regarding the Town's former audit firm and the process by which an audit firm was selected.

PUBLIC and OTHER COMMENT

None

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Carey stated that he was glad that he received a call from Town Manager Maria Davis informing him of the status of Tropical Storm Fay.

Commissioner Balius stated that he had received numerous phone calls from people asking when Town Manager Maria Davis would be selected for the Florida League of Cities "City Manager of the Year" Award. He informed constituents that the selection would be made in October 2008. He voiced his appreciation that Town Manager Maria Davis had staff prepare for Tropical Storm Fay. He noted that there was some flooding and little damage from the storm.

Vice-Mayor Daly stated that there was minimal flooding and damage from Tropical Storm Fay.

Commissioner Balius stated that he attended the Florida League of Cities Meeting in Tampa. He discussed the impact of Amendment One on towns as large as or smaller than Lake Park.

Commissioner Osterman stated that the Town's Marina had received a Clean Marina Award with a score of 520 out of a possible 500. She commended Marina Director Mike Pisano for his efforts and stated that he was doing a fabulous job.

Commissioner Balius stated that the Town has a resident who was a prisoner of war during World War II and subsequently wrote a book about his experiences. He announced that the gentleman would be having a book signing on September 6, 2008, 3 p.m. at the VFW.

Commissioner Osterman thanked everyone for their calls, e-mails and concerns while she was ill.

Mayor DuBois thanked Marina Director Mike Pisano for doing a superior job at the Marina. She stated that she enjoyed the Florida League of Cities Meeting in Tampa and she learned much from the meeting. She thanked Town Manager Maria Davis, Public Works Director Abu Canady, and all of the Public Works employees for their efforts in preparing for Tropical Storm Fay.

Town Attorney Thomas Baird

None

Town Manager Maria Davis stated that she has been through six natural disasters. She stated that Town staff was very prepared for Tropical Storm Fay and she was very pleased to see the level of preparation by the Public Works Department, Marina, Recreation Department and staff at Town Hall. She congratulated Marina Director Mike Pisano for receiving the Clean Marina designation from the Florida Department of Environmental Protection. She announced that the Marina Breakwater Project Bid would have its opening on August 25, 2008 at 10 a.m. She announced that the ARC School for disabled children located on Park Avenue would be having a 1K walk fundraising event on Saturday, August 23, 2008. The walk will begin at 9 a.m. in Kelsey Park and proceed west to the clock tower on Park Avenue. The Commission and Recreation Director Greg Dowling will be receiving plaques for their assistance to the school. There will be refreshments at the school and anyone wishing to do the walk with the students is welcome. She announced that the Town will be closing on the Foresteria property on August 25, 2008.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of July 16, 2008
2. Resolution No. 42-08-08 State Aid for Libraries
3. Resolution No. 43-08-08 Loan Agreement and Interlocal Agreement between the Town and the CRA
4. Resolution No. 45-08-08 Palm Beach County Sheriff's Office Fourth Addendum to the Contract
5. Renewal of Audit Services Contract with Nowlen, Holt & Miner, P.A.

6. Resolution No. 42-08-08 Authorize Submission of Grant Application for the Park Avenue Project

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING(S): ORDINANCES ON 2ND READING

ORDINANCE NO. 14-2008 – PADD Signage

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-70 OF CHAPTER 78, ARTICLE III, ENTITLED “PARK AVENUE DOWNTOWN DISTRICT” PERTAINING TO PERMITTED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan stated that there were no changes made to Ordinance No. 14-2008 since the first reading.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 14-2008 upon 2nd reading; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		

Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Town Attorney Thomas Baird read Ordinance No. 14-2008 by caption-only.

ORDINANCE ON 1ST READING

**ORDINANCE NO. 15-2008 – Text Change to Chapter 78 Walls, Fences, and Hedges
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE
PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE IV OF THE TOWN
CODE ENTITLED “WALLS, FENCES AND HEDGES”; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE
REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN
EFFECTIVE DATE.**

Community Development Director Patrick Sullivan explained that Ordinance No. 15-2008 would change the wall, fences, and hedges section of the zoning ordinance. He stated that the Town planned to put fencing in the alleyways but the ordinance only allowed for masonry walls. He explained that he made other changes to the ordinance such as allowances for barbed wire. He stated that the ordinance would allow certain businesses to place barbed wire fences on their property. He explained and discussed the other changes made regarding fencing allowances and permitting for fencing. He stated that changes were also made concerning allowances for corner lots.

Mayor DuBois asked if a property with three foot high chain link fencing and landscaping would be out of compliance.

Community Development Director Patrick Sullivan explained that if a property’s fencing is non-conforming it does not have to be changed until the resident decides to make changes or install new fencing.

Commissioner Balius asked if the allowance for barbed wire was for barbed wire only and not razor wire.

Community Development Director Patrick Sullivan stated that both barbed wire and razor wire would be permitted.

Commissioner Balius expressed his concerns regarding non-conforming fences on residential corner lots.

Mr. Sullivan explained that the Building Department had permitted fences in the past that should not have been permitted and that he had permitted one by mistake. He apologized for his oversight. He recommended an amortization schedule for non-conformed fences.

Town Manager Maria Davis stated that clear direction was needed regarding fencing allowances and permitting.

Discussion ensued among the Commissioners regarding fencing issues in the Town.

Community Development Director Patrick Sullivan stated that the Town's main issue with fencing was fencing on corner lots.

Commissioner Osterman recommended allowing an existing fence until a new permit is obtained unless it is a safety issue.

Commissioner Carey asked if there would be any liability to the Town should someone get injured on a fence that was non-compliant.

Attorney Thomas Baird explained that liability would not be based on the compliance of the fence.

Discussion ensued between the Commission regarding fencing safety issues in the Town.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance 15-2008 with the modifications of existing fences to remain and newly permitted fences to be in compliance upon installation; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois		X	

Motion passed 4-1.

Attorney Thomas Baird read Ordinance No. 15-2008 by caption-only.

QUASI-JUDICIAL HEARING

RESOLUTION NO. 46-08-08 – Office Depot Site Plan

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR THE CONSTRUCTION

OF A 75,425 SQUARE FOOT GENERAL RETAIL SHOPPING CENTER WITH MIXED RETAIL AND GENERAL COMMERCIAL SPACE LOCATED ON A 20.76 ACRE PARCEL ON THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND US HIGHWAY 1 WITHIN THE TOWN C-3 PUD ZONING DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Vivian Mendez swore in all witnesses.

Ex-parte communication was declared as follows:

- Mayor DuBois – none
- Vice-Mayor Daly –none
- Commissioner Balias – none
- Commissioner Osterman – none
- Commissioner Carey – none

Community Development Director Patrick Sullivan explained the purpose of Resolution No. 46-08-08. He stated that it was a site plan review for a piece of land next to the west side of the Publix Shopping Center in Lake Park. The applicant is proposing a 75,000 square foot retail shopping center which would include an Office Depot. The application and site plan was reviewed by the Planning and Zoning Board and the board recommended approval. He discussed and explained the conditions that the Planning and Zoning Board set forth for the site plan approval. He introduced the applicant.

Mr. John Schmitt, Agent for the applicant gave a brief overview of the proposed project and its site plan.

Commissioner Carey asked where the trucks would load and unload on the property.

Mr. Schmitt showed on the site plan where the trucks would load and unload.

Discussion ensued among the Commissioners and Mr. Schmitt regarding the Office Depot Site Plan.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 46-08-08; Commissioner Balias made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		

Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

RESOLUTION NO. 44-08-08 – Kohl’s Platt

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FINAL PLAT PLAN FOR CONGRESS AVENUE ASSOCIATES DEFINING THE KOHL’S PROPERTY BOUNDARIES AND PROVIDING AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the purpose of Resolution No. 44-08-08.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 44-08-08; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Carey and seconded by Commissioner Balias, and by unanimous vote, the meeting adjourned at 8:57 p.m.

Mayor DuBois

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez Lemley

Town Seal

Approved on this ___ of _____, 2008.

TAB 2

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 2*

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Budget Workshop Meeting Minutes of August 27, 2008.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Budget Workshop Meeting of August 27, 2008.

Approved by Town Manager

W. Davis

Date:

9/11/08

Deputy Clerk

James Hughes

9/11/08

Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>VML</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <input checked="" type="checkbox"/> _____; Please initial one.

Summary Explanation/Background:



**Minutes
Town of Lake Park, Florida
Special Call Commission Meeting
August 27, 2008 5:30 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Special Call Commission Meeting on Wednesday, August 27, 2008 at 5:30 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioner Osterman, Attorney Karen Roselli, Town Manager Maria Davis and Town Clerk Vivian Mendez Lemley. Commissioners Balius and Carey were absent.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Mendez Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Vice-Mayor Daly to approve the Agenda; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	Absent		
Commissioner Carey	Absent		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 3-0.

General Approval of Item

Award Bid Contract for Marina South Breakwater and Floating Dock Repair

Town Manager Maria Davis thanked the Commission for convening that evening. She explained the purpose of the contract. She stated that there were three bidders on the project and the lowest bidder was Palm Beach Marine Construction, Inc. in the amount of \$331,340 and she requested the Commission's authority to award the contract.

Commissioner Osterman asked Mr. Robert Cutcher of Cutcher and Associates if the engineer's estimate was accurate and would not cost the Town more money than estimated or if the breakwater would be constructed with inferior materials that would cost the Town in the future.

Mr. Cutcher explained and assured Commissioner Osterman that his recommendations were based on accurate estimates on the cost of the breakwater and the materials would not be inferior.

Mayor DuBois stated that she appreciated the way the information was laid out for the Commission and that it was extremely helpful.

Vice-Mayor Daly stated that he was glad that the project went out to bid.

Town Manager Maria Davis agreed that bidding out the Marina Breakwater Project was best but it is not cost effective for the Town to bid out every project.

Commissioner Osterman recommended that all documentation on the project be kept and well secured throughout the project.

Town Manager Maria Davis stated that in her dealings in the past with Robert Cutcher and Associates, she has received a manual with every document including photographs, tests, and sign-offs once the project was completed.

Commissioner Osterman stated that her comments were not based on current circumstances but from mistakes made in the past. She stated that she was very impressed with Mr. Cutcher's work, knowledge and thoroughness.

Motion: A motion was made by Commissioner Osterman to award the Marina South Breakwater and Floating Dock Repair to Palm Beach Marine Construction, Inc.; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	Absent		
Commissioner Carey	Absent		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 3-0.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 5:40 p.m.

Mayor DuBois

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez Lemley

Town Seal

Approved on this ___ of _____, 2008.

TAB 3

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 3*

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Regular Commission Meeting Minutes of September 3, 2008.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Regular Commission Meeting of September 3, 2008.

Approved by Town Manager *W. Davis* Date: *9/13/08*
 Deputy Clerk *J. [Signature]* *9/12/08*
 Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <i>VMC</i> <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____ Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
September 3, 2008 7:40 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 3, 2008 at 7:40 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Attorney Thomas Baird, Town Manager Maria Davis and Town Clerk Vivian Mendez Lemley.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Mendez Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Osterman to approve the Agenda; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PROCLAMATION

Neptalie Jerome

Mayor DuBois read the proclamation to Neptalie Jerome.

Ms. Jerome spoke about the tutoring services she offers and thanked the Commission, Staff and the community.

PUBLIC and OTHER COMMENT

Bert Bostrum 1451 Flagler Blvd. – announced that the AYSO Soccer practice may not be able to

take place due to impending storms. She stated that parents could contact her for updates at 842-2524.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Carey thanked Town Manager Maria Davis for setting up a meeting between the Commission and the consulting firm for improvements to the downtown area. He stated that he was glad to see the progress being made by the downtown projects.

Commissioner Balius stated that the Town was headed in the right direction. He noted that the Town had been working on the Alleyway Project for approximately seven years. He went on to say since Town Manager Maria Davis has been with the Town the project is finally going to commence.

Vice-Mayor Daly stated that the meeting held with the Downtown consultant was constructive and filled with good ideas.

Commissioner Osterman stated that the Downtown consultant meeting was good. She recommended future workshops to discuss other projects.

Mayor DuBois stated that the Downtown meeting was very constructive.

Town Attorney Thomas Baird announced that the attorneys representing the Town in the Kelsey Club Case reached a settlement. The case was settled for \$5,500. He stated that the Town's insurance would cover the settlement.

Town Manager Maria Davis stated that staff has been preparing for the upcoming storms. She stated that the consultants were impressed with the Commission's knowledge and commitment to energize the downtown area.

CONSENT AGENDA:

1. Budget Workshop Meeting Minutes of July 23, 2008
2. Regular Commission Meeting Minutes of August 6, 2008
3. Resolution No. 50-09-08 National City Bank Signatories
4. Resolution No. 51-09-08 Tennis Pro Contract Renewal
5. Resolution No. 52-09-08 Adding the Position of Stormwater Tech I Job Description to the Towns Classification Plan
6. Resolution No. 53-09-08 Adding the Position of Stormwater Tech II Job Description to the Towns Classification Plan
7. Purchase of Emergency Generator for Hurricane Preparedness Utilizing City of Coral Springs Bid #07-C110F

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING: ORDINANCE ON 2ND READING

**ORDINANCE NO. 15-2008 – Text Change to Chapter 78 Walls, Fences, and Hedges
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE IV OF THE TOWN CODE ENTITLED “WALLS, FENCES AND HEDGES”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 15-2008 upon 2nd reading; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Town Attorney Thomas Baird read Ordinance No. 15-2008 by caption-only.

RESOLUTIONS

RESOLUTION NO. 48-09-08 – Millage

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2008/2009; PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Anne Costello gave a presentation that gave brief overview of the Town's Budget (see Exhibit "A")

Ms. Costello reviewed the slide titled "Sanitation Fund" and explained that there was a 25% increase in disposal fees from Solid Waste Authority. The rates were increased after the date the Town was required to provide their rates to the Solid Waste Authority to be included on the TRIM notices.

Discussion ensued among the Commission regarding the rate increase by Solid Waste Authority.

Ms. Costello stated that the potential impact to the budget would be approximately \$37,000 to \$47,000. She stated that there were sufficient reserves to prevent an increase to the Town's sanitation rates this year.

Town Manager Maria Davis stated that the Town would have to increase their commercial sanitation rates for the next budget year of 2009-2010.

Commissioner Osterman asked Town Manager Maria Davis to write a formal letter from the Town to Solid Waste Authority regarding the rate increase and she asked that a copy of the letter be sent to the Florida League of Cities.

Mayor DuBois discussed the issue of the Solid Waste Authority raising sanitation rates and not giving the Commission an opportunity to address them in the Town's Budget.

Commissioner Carey stated that it was the first time that the Town would be raising the millage rate in three to four years.

Discussion ensued among the Commissioners regarding millage rates

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 48-09-08; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Resolution No. 48-09-08 by caption-only.

RESOLUTION NO. 49-09-08 – Fiscal Year 2008-2009 Budget
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Resolution No. 49-09-08; Commissioner Balias made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Resolution No. 49-09-08 by caption-only.

**RESOLUTION NO. 54-09-08 – Property and Casualty Insurance Coverage
Renewal for FY 2009**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO A EXECUTE THE RENEWAL QUOTATION FROM THE FLORIDA LEAGUE OF CITIES FOR PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE FOR THE TOWN OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE

Kurt Gehring of Gehring Group gave a brief explanation of the Town's Property and Casualty Insurance Coverage renewal for fiscal year 2008-2009.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 54-09-08; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

RESOLUTION NO. 55-09-08 – Renewal of Fiscal Year 2008-2009 Employee Benefits

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO EXECUTE THE RENEWAL APPLICATION FOR BLUE CROSS BLUE SHIELD OF FLORIDA FOR EMPLOYEE HEALTH INSURANCE COVERAGE, A RENEWAL APPLICATION FOR LINCOLN FINANCIAL FOR RENEWAL OF EMPLOYEE DENTAL INSURANCE, LIFE INSURANCE, SHORT TERM DISABILITY, LONG TERM DISABILITY, FOR VISIONCARE FOR VISION INSURANCE, AND A CONTRACT WITH THE CENTER FOR FAMILY SERVICES OF PALM BEACH COUNTY INC. FOR AN EMPLOYEE ASSISTANCE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

Kurt Gehring of Gehring Group gave a brief explanation of the Town's renewal of its fiscal year 2009 Employee Benefits.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 55-09-08; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 8:20 p.m.

Mayor DuBois

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez Lemley

Town Seal

Approved on this ___ of _____, 2008.

TAB 4

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 4*

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Special Call Commission Meeting Minutes of September 10, 2008.

RECOMMENDED MOTION/ACTION: Approve the Minutes from the Special Call Commission Meeting of September 10, 2008.

Approved by Town Manager *H. Davis* Date: *9/12/08*
 Deputy Clerk *Jenna Lyne* Date of Actual Submittal *9/11/08*

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <i>VPAL</i> <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Special Call Commission Meeting
September 10, 2008 6:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Special Call Commission Meeting on Wednesday, September 10, 2008 at 6:30 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioner Balius, Carey, and Osterman, Attorney Thomas Baird, Town Manager Maria Davis and Town Clerk Vivian Mendez Lemley.

Mayor DuBois led the Invocation.
 Mayor DuBois led the Pledge of Allegiance.
 Town Clerk Vivian Mendez Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Carey to approve the Agenda; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING:

RESOLUTION NO. 56-09-08 - Stormwater Assessment Roll

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE CERTIFICATION AND ADOPTION OF A STORMWATER ASSESSMENT ROLL IN ACCORDANCE WITH CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balias to approve Resolution No. 56-09-08; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Resolution No. 56-09-08 by caption-only.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Vice-Mayor Daly, and by unanimous vote, the meeting adjourned at 6:33 p.m.

Mayor DuBois

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Mendez Lemley

Town Seal

Approved on this ___ of _____, 2008.

TAB 5

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 5*

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Purchase Sterling Model L Tandem Axle Vac-Con Storm Water Utility Vehicle. Utilizing the Florida Sheriff's Association Contract #07-15-0827

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager *Abu Canady* Date: *9/10/08*
 Abu Canady, Public Works Director Date of Actual Submittal

Originating Department: Public Works	Costs \$261,508.00 Funding Source: FY 09 Storm Water Debit Service Acct. # NA	Attachments: Copy Vehicle Specifications, Contract #07-15-0827
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

Pursuant to the adoption of Ordinance 09-2008 at the August 6, 2008 Commission Meeting, the Commission established a Storm Water Utility Division within the Public Works Department. In order to carry out the storm water management and maintenance responsibilities of this utility, the acquisition of a Vac Con Storm Water Utility Vehicle is needed. This vehicle will be utilized to maintain and clean the Town's catch basins and drainage lines. Additionally, this piece of equipment will also serve to meet the requirements of the Environmental Protection Agency mandates, such as NPDES.

Sterling & Western Star Truck of Tampa, competitively bid and was awarded a contract with the Florida Sheriff's Association (FSA) to supply heavy duty utility vehicles to state entities. Staff wishes to piggy-back that contract award, and recommends approval of the Sterling & Western Star Truck of Tampa proposal to provide a Sterling Model L Tandem Axle Vac-Con storm water utility vehicle. The specifications for the requested vehicle are attached.

The cost for this vehicle, as described in the attached specifications and under the current FSA contract, is \$261,508. The debt service for the vehicle has been budgeted in the Storm Water Utility budget for FY 2008/09.

**BID AWARD
ANNOUNCEMENT**

07-15-0827

**PURSUIT,
ADMINISTRATIVE NON-PURSUIT,
UTILITY VEHICLES, TRUCKS & VANS,
& OTHER FLEET EQUIPMENT**

*Participating Sheriff's Offices & Local Governmental
Agencies of the State of Florida*

Coordinated By

**The
Florida Sheriffs Association,
Florida Association of Counties &
Florida Fire Chiefs' Association**





**FLORIDA SHERIFFS ASSOCIATION,
FLORIDA ASSOCIATION OF COUNTIES &
FLORIDA FIRE CHIEFS' ASSOCIATION**

**52,000 LB. GVWR CAB & CHASSIS - 4X6 TANDEM AXLE TRUCK
SPECIFICATION #48**

2008 Autocar WX64
2008 Freightliner M2-112
2008 International 7600
2008 Kenworth T800
2008 Mack C or G Series
2008 Peterbilt 367
2008 Sterling L Series
2008 Volvo V Series
2008 Western Star 4900

ALL ITEMS FACTORY INSTALLED UNLESS OTHERWISE INDICATED

INSTRUCTIONS: Listed above, you will find the model numbers of the vehicles that will be included in this year's contract.

1. **ENGINE:**

- a. 350 HP 6 cylinder diesel engine, 11L minimum

2. **TRANSMISSION & CLUTCH:**

- a. The following or approved equivalents are acceptable:
- b. Fuller 14210B 10 Speed Manual with OD

3. **ENGINE EQUIPMENT:**

- a. Alternator – 12 volt 100A
- b. Premium engine hoses
- c. Injection pump – electronic engine control
- d. Radiator – aluminum core
- e. Air restriction monitor – intake mounted

4. **CAB:**

- a. Cab – welded steel galvanized or aluminum shell with rust preventative coating.
- b. Floor covering – black rubber mats
- c. Seating – driver air suspension mid back, passenger fixed mid back.
- d. Steering wheel – 18" two spoke
- e. Standard air conditioning

5. **FRAME:**

- a. Frame – steel construction matched to GVW and mounted body of truck.
- b. Wheelbase – 187"
- c. Front bumper – painted steel
- d. Fuel tank – 70 gallon, minimum
- e. Air dryer – bendix AD9 heated, or approved equivalent.

6. SAFETY:

- a. Horn – single air trumpet
- b. Mirrors – West Coast to include 7.5" convex mounted to lower mirror bracket.
- c. Windshield wipers – 2 speed with intermittent feature
- d. Brakes – Meritor "S" cam type 15" x 4" Q + front and Meritor 16.5" x 7" Q + rear with antilock without automatic traction control, or approved equivalent.
- e. Slack adjusters – Haldex automatic front and rear.
- f. Daytime running lights.
- g. Backup alarm – pollak 41-722 constant audible, or approved equivalent (mounted on rear cross member).

7. FRONT AXLE:

- a. Front axle – 12,000 lb.
- b. Front wheels – steel 10 hole hub piloted
- c. Front tires – 11R22.5 Goodyear G397LHS, steer or approved equivalent.
- d. Front hubs – Ferrous, or approved equivalent.

8. REAR AXLE:

- a. Rear axle – 40,000 lb.
- b. Rear wheels – steel 10 hole hub piloted
- c. Rear tires – 11R22.5 Goodyear G124 unisteeel traction or approved equivalent.
- d. Hubs – Ferrous, or approved equivalent.
- e. Power divider with warning light and buzzer (includes in cab control)

9. ELECTRICAL:

- a. Circuit protection – fuses except headlamp and wiper circuits which utilize circuit breakers.
- b. Hand throttle – electronic hand throttle operated through cruise control when in PTO mode only.
- c. Engine protection – engine shut down system monitoring high water temp, low oil pressure, high exhaust temp, high transmission temp.

10. CONDITIONS

In addition to equipment specified, vehicle shall be equipped with all standard equipment as specified by the manufacturer for this model and shall comply with all EPA Emission Standards and all Motor Vehicle Safety Standards as established by the U.S. Department of Transportation regarding the manufacture of motor vehicles.

The successful bidder shall be responsible for delivering vehicles that are properly serviced, clean and in first class operating condition. Pre-delivery service, at a minimum, shall include the following:

- a. Complete lubrication.
- b. Check all fluid levels to assure proper fill.
- c. Adjustment of engine to proper operating condition.
- d. Inflate tires to proper pressure.
- e. Check to assure proper operation of all accessories, gauges, lights, and mechanical features.
- f. Focusing of headlights.
- g. Cleaning of vehicles, if necessary, and removal of all unnecessary tags, stickers, papers, etc. **DO NOT** remove window price sticker or supplied line sheet.



STERLING & WESTERN STAR TRUCKS OF TAMPA
7528 U. S. Highway 301 North
Tampa, Fl. 33637
Ph: 813-262-0890 / Fax: 813-262-0983

To: Mr. Paul Mathis, Town of Lake Park

Subject: Sterling L Model Tandem Axle Quote with Vac-Con V311SHA

Reference: 2007-2008 Florida Sheriff's Contract # 07-15-0827

Paul,

Thank you for your interest in our product. Here's the breakdown of your quote using the Florida Sheriff's Contract:

Specification #48: Sterling L Model Tandem Truck: \$58,030

V311SHA Optional equipment - specify
Vac-Con V311SHA Combination Sewer Cleaner,
Requires 60k GVW Pkg
\$174,692.00

TLP-002 Town of Lake Park Options Package (*See Attached Southern Sewer Quote*)
\$26,014.00

622-1CN Hendrickson RT403 Rear Suspension @ 40,000 lbs.
\$3142.00

400-1AC, 620-006 Front Axle: 20,000 lb. rating to include equal capacity
steering gear and springs
\$3,127.00

547-001 Double Frame: full steel insert
\$1,394.00

549-018 12" Integral Front Frame Extension with 0.25" Insert
\$526.00

093-715 Goodyear G178 425/65R22.5 20 Ply Radial Front Tires
\$1284.00

WAH-052 Five Year, 100,000 Base Vehicle Warranty (Chassis Only)
\$1562.00

101-13N Cummins ISC 300 HP @ 2000 rpm, 860 LB/FT Torque (Credit)
(\$8263.00)

TOTAL: **\$261,508.00**

Please note that this is the price under the current Florida Sheriff Contract. Purchase orders must be received by September 30th to be eligible for this price. If you are using this quote for budget purposes, please estimate for a 4% price increase.

Please call if you have any questions, or need further information. I can be reached via email or by telephone. My contact information is shown below.

Sincerely,

John Rossodivito
Municipal Sales Manager
Sterling & Western Star Trucks of Tampa
jrossodivito@sterlingtrucksoftampa.com
(352) 434-2862



**FLORIDA SHERIFFS ASSOCIATION,
FLORIDA ASSOCIATION OF COUNTIES &
FLORIDA FIRE CHIEFS' ASSOCIATION**

52,000 LB. GVWR CAB & CHASSIS - 4X6 TANDEM AXLE TRUCK (Specification #48)

Name of Dealership	Type Vehicle	Zone	Base Unit Price
Kenworth of Central Florida	2008 Autocar WX64	Western	\$119,059.00
Kenworth of Central Florida	2008 Autocar WX64	Northern	\$118,783.00
Kenworth of Central Florida	2008 Autocar WX64	Central	\$118,582.00
	2008 Autocar WX64	Southern	-- NB --
Atlantic Truck Center	2008 Freightliner M2-112	Western	\$59,354.00
Atlantic Truck Center	2008 Freightliner M2-112	Northern	\$59,354.00
Atlantic Truck Center	2008 Freightliner M2-112	Central	\$59,354.00
Atlantic Truck Center	2008 Freightliner M2-112	Southern	\$59,354.00
Sun State International Trucks, LLC	2008 International 7600	Western	\$70,200.00
Sun State International Trucks, LLC	2008 International 7600	Northern	\$70,200.00
Sun State International Trucks, LLC	2008 International 7600	Central	\$69,700.00
Sun State International Trucks, LLC	2008 International 7600	Southern	\$71,200.00
Kenworth of Central Florida	2008 Kenworth T800	Western	\$84,862.00
Kenworth of Central Florida	2008 Kenworth T800	Northern	\$84,585.00
Kenworth of Central Florida	2008 Kenworth T800	Central	\$84,385.00
Kenworth of Central Florida	2008 Kenworth T800	Southern	\$84,585.00
Nextran Truck Center - Lake City	2008 Mack C or G Series	Western	\$86,767.00
Nextran Truck Center - Lake City	2008 Mack C or G Series	Northern	\$86,467.00
Nextran Truck Center - Tampa	2008 Mack C or G Series	Central	\$86,467.00
Nextran Truck Center - Miami	2008 Mack C or G Series	Southern	\$86,807.00
Rush Truck Center	2008 Peterbilt 367	Western	\$90,669.00
Rush Truck Center	2008 Peterbilt 367	Northern	\$90,669.00
Rush Truck Center	2008 Peterbilt 367	Central	\$90,669.00
Rush Truck Center	2008 Peterbilt 367	Southern	\$90,669.00

Sterling & Western Star Trucks of Tampa	2008 Sterling L Series	Western	\$58,030.00
Sterling & Western Star Trucks of Tampa	2008 Sterling L Series	Northern	\$58,030.00
Sterling & Western Star Trucks of Tampa	2008 Sterling L Series	Central	\$58,030.00
Sterling & Western Star Trucks of Tampa	2008 Sterling L Series	Southern	\$58,030.00
Nextran Truck Center - Lake City	2008 Volvo V Series	Western	\$77,307.00
Nextran Truck Center - Lake City	2008 Volvo V Series	Northern	\$77,007.00
Nextran Truck Center - Tampa	2008 Volvo V Series	Central	\$77,007.00
Nextran Truck Center - Tampa	2008 Volvo V Series	Southern	\$77,207.00
Sterling & Western Star Trucks of Tampa	2008 Western Star 4900	Western	\$78,886.00
Sterling & Western Star Trucks of Tampa	2008 Western Star 4900	Northern	\$78,886.00
Sterling & Western Star Trucks of Tampa	2008 Western Star 4900	Central	\$78,886.00
Sterling & Western Star Trucks of Tampa	2008 Western Star 4900	Southern	\$78,886.00

TAB 6

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **September 17, 2008** Agenda Item No. *Tab 6*

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON SECOND READING | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> PROCLAMATION | |

SUBJECT: Constitution Week

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. Davis* Date: *9/12/08*
Devin M. Lemley *9-11-08*
Name/Title Date of Actual Submittal

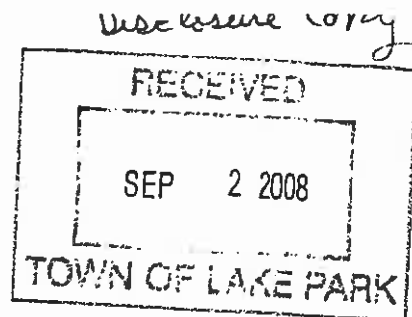
Originating Department: Town Clerk	Costs: \$ Funding Source: Acct. #	Attachments: Proclamation request
Department Review: <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input checked="" type="checkbox"/> Town Clerk <i>V.M.L.</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u><i>n/a</i></u> Please initial one.

Summary Explanation/Background: The Seminole Chapter National Society invited all municipalities to adopt a Proclamation, as the President has done for many years, proclaiming September 17 through September 23 as Constitution Week.



**SEMINOLE CHAPTER
NATIONAL SOCIETY**
DAUGHTERS OF THE AMERICAN REVOLUTION
WEST PALM BEACH, FLORIDA
3-072-FL

LINDA SUE LA VIE
Constitution Week Committee Chairman



Mayor Desca DuBois
Town of Lake Park
535 Park Ave.
Lake Park, FL
33403

Dear Mayor DuBois:

The President of the United States issues each year a proclamation-

1. Designating September 17 through September 23 as Constitution Week; and
2. Inviting people of the United States to observe Constitution Week, in school, churches, and other suitable places, with appropriate ceremonies and activities.

The Constitution of the United States is the greatest and most influential legal document ever written which is still in existence. This 220 year old living document, which plays an integral role in our everyday lives, is one of the world's oldest surviving Constitutions, has been used in over 100 countries as a model for their own.

The Supreme Court continually interprets the Constitution in our rapidly changing world but its basic tenets have remained virtually unchanged and unchallenged. People debate its interpretation, but do not question the wisdom of its underlying principles. Great people have spent their lives studying and interpreting the Constitution to understand the thoughts of our Founding Fathers.

In keeping with the President's proclamation, we invite you to observe Constitution Week by encouraging flying of the American Flag and if possible, having a group meeting in your office for the reading of the Preamble to the Constitution.

We the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish the Constitution for the United States of America.

We are also asking that you provide us with an official proclamation similar to the reduced size same attached. We sincerely request your participation .

Thank you.

Sincerely,

Linda LaVie
242 Linda Lane
West Palm Beach, FL
33405

Phone: 315-3883
e-mail: laviel@palmbeach.k12.fl.us

SAMPLE PROCLAMATIONS FOR CONSTITUTION WEEK

The following proclamations can be used as suggested or in combination with one another. Proclamations you have used in the past years can also be used as samples. Be sure to remember to change the date and also the year of the anniversary.

SAMPLE #1

WHEREAS: September 17, 2008, marks the two hundred twenty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by virtue of the authority vested in me as (Governor or Mayor) of the State or City) of _____ (in the City of) _____ do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the (State or City) to be affixed this _____ day of _____ of the year of our Lord two thousand eight.

Signed _____ SEAL Attest _____

TAB 7

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **September 17, 2008**

Agenda Item No. *tab 1*

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> OTHER | |

SUBJECT: Resolution No. 58-09-08 to urge Solid Waste Authority to locate the proposed new landfill at its current western site rather than any alternative sites.

RECOMMENDED MOTION/ACTION: Approval .

Approved by Town Manager *M. J. Davis* Date: *9/12/08*
William M. Lemley *9-11-08*
 Name/Title Date of Actual Submittal

Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ _____ Funding Source: _____ Accl. # _____	Attachments: <p style="text-align: center;">Resolution No. 58-09-08</p>
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>WML</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

Summary Explanation/Background: During the regular meeting of August 4, 2008, the Belle Glade City Commission adopted Resolution No. 2008-2686, urging the Solid Waste Authority to locate the proposed new landfill at its current western site rather than any alternative sites. The Town of Lake Park proposes the same per the attached Resolution No. 58-09-08.

RESOLUTION NO. 58-09-08

**A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA,
URGING THE SOLID WASTE AUTHORITY TO LOCATE
THE PROPOSED NEW LANDFILL AT ITS CURRENT
WESTERN SITE RATHER THAN ANY ALTERNATIVE
SITES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Solid Waste Authority acted proactively in 1996 to purchase approximately 1600 acres of property from Stofin Co., Inc. with the intent to eventually locate a landfill on the site, which is currently known as the western site; and

WHEREAS, the Solid Waste Authority intends to have the future landfill site online in 2015 and expects that landfill to have a life of approximately 50 years; and

WHEREAS, as the Solid Waste Authority is going through the necessary rezoning and permitting steps to allow the usage of the Western Site as a landfill, they have initiated a review process to consider potential alternative sites; and

WHEREAS, three proposals known as the Ellen Smith property , Hundley Farms property, and Okeelanta Corporation property are under consideration as potential alternate sites, and

WHEREAS, the City of Belle Glade has had an opportunity to review the potential alternative sites in comparison to the Western Site and had conclude that the Western Site best fits the human and environmental needs of the citizens of Belle Glade and Palm Beach County.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COMMISSION OF THE
TOWN OF LAKE PARK, FLORIDA:**

Section 1. The foregoing recitals are hereby affirmed as true and correct and incorporated herein

Section 2. The City of Belle Glade opposes the relocation of the proposed landfill to the

Smith property, Hundley Farms property or the Okeelanta property and urges the Solid Waste Authority to reject all alternative sites and continue on with its efforts to have the landfill established and operating on the Western Site, which the Authority currently owns, by 2015.

Section 3. The City Clerk is directed to send copies of this Resolution to the governing bodies of Palm Beach County and all municipalities located within Palm Beach County.

Section 4. The City Manager or his designee is directed to prepare a presentation and appear in support of the Western Site at any and all public meetings, in which this issue is considered by the Solid Waste Authority.

Section 5. This Resolution shall become effective immediately upon adoption.

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **September 17, 2008** Agenda Item No. _____

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> OTHER | <input checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|--|---|

SUBJECT: Resolution No. 58-09-08 to urge Solid Waste Authority to locate the proposed new landfill at its current western site rather than any alternative sites.

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager _____ Date: _____

Name/Title	Date of Actual Submittal	
Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ _____ Funding Source: _____ Acct. # _____	Attachments: <p style="text-align: center;">Resolution No. 58-09-08</p>
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>VML</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: During the regular meeting of August 4, 2008, the Belle Glade City Commission adopted Resolution No. 2008-2686, urging the Solid Waste Authority to locate the proposed new landfill at its current western site rather than any alternative sites. The Town of Lake Park proposes the same per the attached Resolution No. 58-09-08.

RECEIVED

AUG 11 2008

LAKE PARK
CITY CLERK'S OFFICE



City of Belle Glade

Office of the City Clerk

Commissioners

August 6, 2008

Steve B. Wilson
Mayor

Mary S. Kendall
Vice Mayor

Gwendolyn J.L. Asia-Holley
Treasurer

Michael C. Martin

Shelly S. Miller

William F. Underwood, II
City Manager

Palm Beach County
Board of County Commissioners
301 North Olive Avenue, Suite 1201
West Palm Beach, Florida 33401

Dear County Commissioners:

During the regular meeting of August 4, 2008, the Belle Glade City Commission adopted Resolution No. 2008-2686, urging the Solid Waste Authority to locate the proposed new landfill at its current western site rather than any alternative sites. As governed by this Resolution, enclosed is a copy for your review.

Your favorable support in this matter is greatly appreciated.

Sincerely,

Debra R. Buff, CMC
City Clerk

Tel: 561-996-0100
Fax: 561-993-1814

www.belleglade-fl.com

Enclosure

cc: William F. Underwood, II, City Manager
All Municipalities in Palm Beach County

RESOLUTION NO. 2008-2686

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BELLE GLADE, FLORIDA, URGING THE SOLID WASTE AUTHORITY TO LOCATE THE PROPOSED NEW LANDFILL AT ITS CURRENT WESTERN SITE RATHER THAN ANY ALTERNATIVE SITES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Solid Waste Authority acted proactively in 1996 to purchase approximately 1600 acres of property from Stofin Co., Inc. with the intent to eventually locate a landfill on the site, which is currently known as the western site; and

WHEREAS, the Solid Waste Authority intends to have the future landfill site online in 2015 and expects that landfill to have a life of approximately 50 years; and

WHEREAS, as the Solid Waste Authority is going through the necessary rezoning and permitting steps to allow the usage of the Western Site as a landfill, they have initiated a review process to consider potential alternative sites; and

WHEREAS, three proposals known as the Ellen Smith property, Hundley Farms property, and the Okeelanta Corporation property are under consideration as potential alternate sites, and

WHEREAS, the City of Belle Glade has had an opportunity to review the potential alternative sites in comparison to the Western Site and had conclude that the Western Site best fits the human and environmental needs of the citizens of Belle Glade and Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BELLE GLADE, that:

- SECTION 1. The foregoing recitals are hereby affirmed as true and correct and incorporated herein.
- SECTION 2. The City of Belle Glade opposes the relocation of the proposed landfill to the Smith property, Hundley Farms property or the Okeelanta property and urges the Solid Waste Authority to reject all alternative sites and continue on with its efforts to have the landfill established and operating on the Western Site, which the Authority currently owns, by 2015.
- SECTION 3. The City Clerk is directed to send copies of this Resolution to the governing bodies of Palm Beach County and all municipalities located within Palm Beach County.

SECTION 4. The City Manager or his designee is directed to prepare a presentation and appear in support of the Western Site at any and all public meetings, in which this issue is considered by the Solid Waste Authority.

SECTION 5. This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was moved by Vice Mayor Kendall, seconded by Commissioner Asia-Holley and upon being put to the vote, the vote was as follows:

	AYE	NAY	SIGNATURES
Mayor Wilson	✓	—	<u>[Signature]</u>
Vice Mayor Kendall	✓	—	<u>[Signature]</u>
Commissioner Asia-Holley	✓	—	<u>[Signature]</u>
Commissioner Martin	✓	—	<u>[Signature]</u>
Commissioner Miller	✓	—	<u>[Signature]</u>

DONE AND RESOLVED at Regular Session of the City Commission of the City of Belle Glade, Florida, this 4th day of August, 2008.

(MUNICIPAL SEAL)

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature], City Attorney

F:\DOCS\RESOLUTISWA Landfill Site.doc

I, Debra R. Buff, City Clerk of the City of Belle Glade do hereby certify that this document is a true and correct copy of Resolution No. 2008-2686, adopted by the Belle Glade City Commission during their regular meeting of August 4, 2008, which is on file in the Office of the City Clerk. Certified this 7th day of August, 2008.

[Signature]
Debra R. Buff, CMC, City Clerk

TAB 8

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. *Tab 8*

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input checked="" type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Ordinance amending Town Code Section 28-51 to increase the rate of business taxes f/k/a occupational license fees charged by the Town for the privilege of doing business within the Town and clarifying the merchant inventory tax.

RECOMMENDED MOTION/ACTION: Motion to approve on first reading.

Approved by Town Manager *[Signature]* Date: *9/11/08*

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance
Department Review: <input checked="" type="checkbox"/> Town Attorney <i>[Signature]</i> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development <i>[Signature]</i>	<input type="checkbox"/> Finance <input checked="" type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ <i>[Signature]</i> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background: In 2007 the Town Commission increased the amount of the business taxes charged by 25% utilizing the rate increase provisions of Section 205.043, Fla. Stat. (2007); and subsequent to the adoption of that ordinance Town staff reviewed the Town's legislative history with respect to business taxation and determined that it should have recommended a tax rate increase of 5% instead of 25%; as result Town staff has recommended to the Town Commission that it repeal Ordinance 22-2007, and adopt a business tax increase of 5% in accordance with Section 205.0535(4), Fla. Stat. (2007). The schedule of taxes has not been increased since the year 2000. The Ordinance increases the business tax using a 5% rate of increase as allowed by state statute. In addition, section 28-51 clarifies the requirement that all businesses which may also be classified as "merchants" that maintain a stock of merchandise shall also be subject to a merchandise inventory tax. It also places a \$20,000 maximum cap for new and used car merchandise inventory taxes.

Business Tax Base Fees

Business inventory tax equals \$20 for first \$1,000 of inventory then \$5 for each additional \$1000

Sample categories	Old Base Tax	New Base Tax	Increase for base tax	Does this type of business carry an inventory? Yes or No
Accountant	\$47.00	\$49.35	\$2.35	N
Animal grooming	\$47.00	\$49.35	\$2.35	Y
Animal hospital	\$94.00	\$98.70	\$4.70	N
Architect	\$94.00	\$98.70	\$4.70	N
Artist	\$47.00	\$49.35	\$2.35	Y
Attorney	\$141.00	\$148.05	\$7.05	N
Bank	\$220.00	\$231.00	\$11.00	N
Barber shop	\$94.00	\$98.70	\$4.70	Y
Beauty salon	\$94.00	\$98.70	\$4.70	Y
Business office	\$94.00	\$98.70	\$4.70	N
Consignment shop	\$100.00	\$105.00	\$5.00	Y
Contractor	\$141.00	\$148.05	\$7.05	N
Dentist	\$94.00	\$98.70	\$4.70	N
Florist	\$47.00	\$49.35	\$2.35	Y
Home occupation	\$94.00	\$98.70	\$4.70	N
Insurance agency	\$94.00	\$98.70	\$4.70	N
Insurance agent	\$47.00	\$49.35	\$2.35	N
Pet Shop	\$47.00	\$49.35	\$2.35	Y
Physician	\$141.00	\$148.05	\$7.05	N
Real Estate office	\$141.00	\$148.05	\$7.05	N
Real Estate agent	\$47.00	\$49.35	\$2.35	N
Restaurant large	\$141.00	\$148.05	\$7.05	N
Restaurant small	\$47.00	\$49.35	\$2.35	N
Warehouse small	\$66.00	\$69.30	\$3.30	N

Average increase in base tax is \$4.62  **\$4.62**

Auto Dealership Base Tax Rates

Base Tax is based on number of cars sold per annum	Old Tax	New Tax	Increase	Inventory tax? Yes or No
Motor Vehicle New				Y
4-99	\$189.00	\$198.45	\$9.45	
100-149	\$220.00	\$231.00	\$11.00	
150-199	\$294.00	\$308.70	\$14.70	
200-249	\$367.00	\$385.35	\$18.35	
250-299	\$441.00	\$463.05	\$22.05	
300-349	\$441.00	\$463.05	\$22.05	
350 & over	\$504.00	\$529.20	\$25.20	
Motor Vehicle Used				Y
4-99	\$94.00	\$98.70	\$4.70	
100-149	\$141.00	\$148.05	\$7.05	
150-199	\$189.00	\$198.45	\$9.45	
200-249	\$189.00	\$198.45	\$9.45	
250-299	\$221.00	\$232.05	\$11.05	
300-349	\$257.00	\$269.85	\$12.85	
350 & over	\$294.00	\$308.70	\$14.70	
Motor Vehicle Repair	\$120.00	\$126.00	\$6.00	N

Motor vehicle sales operations pay a base tax and an inventory or merchandise tax.

The base tax is determined by the number of cars sold per annum.

Each Motor Vehicle dealer pays a base tax on their business based on the number (not dollar Value) of cars that they have on the lot at the end of the year.

Automobiles are considered merchandise for resale and therefore are subject to an inventory tax. Therefore, in addition to the base tax the dealerships must also pay an inventory tax.

That tax is based on the dollar amount of merchandise/autos that they have for resale

The dollar amount is determined by the amount of inventory that is reported to the IRS each year.

Occupational Business Tax Comparison

	Lake Park proposed fees	North Palm	Palm Beach Gardens	Tequesta	West Palm Beach	Belle Glade	Lake Worth
Lawn Service	\$49.35	\$110.00	\$100.00	\$40.00	\$82.00	\$82.00	\$77-99
Construction	\$148.05	\$132.00	\$5.00	\$200.00	\$165.00	\$165.00	\$126-256
Radio TV	\$148.05	\$412.00	\$450.00	\$450.00	\$110.00	\$110.00	\$165.00
Taxi	\$49.35	\$66.00	\$75.00	\$100.00	\$110.00	\$110.00	\$126.00
Car Rental	\$49.35	\$132.00	\$125.00	-	\$110.00	\$110.00	\$63.00
Retail base fee	\$22.00	\$38.50	\$75.00	\$100 to \$650	\$55.00	\$110 to \$275	\$29.00
Retail inventory fee per \$1000	\$5.25	\$9.45	\$6.25	-	\$4.41	-	\$3.03
Restaurant	\$49.35	\$132.00	\$94.00	\$140.00	110-330	\$82.00	\$27 to \$165
Gas Station	\$49.35	\$93.00	\$200.00	\$100.00	\$165.00	\$82.00	\$110.00
Banks	\$231.00	\$297.00	\$470.00	\$337.00	\$275.00	\$275.00	\$303.00
Insurance co	\$148.05	\$132.00	\$100.00	\$100.00	\$137.00	\$110.00	\$137.00
Real Estate	\$148.05	\$132.00	\$100.00	\$100.00	\$100.00	\$110.00	\$137.00
Day Care	\$150.00	\$154.00	\$47.00	\$100.00	\$110.00	-	\$126.00
Hospitals	\$148.05	\$186.00	\$100.00	\$200.00	\$276.00	-	\$413.00
Storage Warehouses	\$94 to \$141	-	\$150 to \$300	-	\$110 to \$275	-	\$66.00
Doctor	\$148.05	\$132.00	\$100.00	\$140.00	\$165.00	\$110.00	\$137.00
Lawyer	\$148.05	\$132.00	\$100.00	\$140.00	\$247.00	\$110.00	\$137.00
Cell Tower	\$148.05	\$132.00	\$100.00	-	\$441.00	\$110.00	-
Average Business office	\$49.35	\$132.00	\$100.00	\$100.00	\$82.00	\$82.00	\$82.00
Average Professional office	\$148.05	\$132.00	\$100.00	\$140.00	\$165.00	\$110.00	\$137.00
Average Service business	\$49.35	\$132.00	\$100.00	\$100.00	\$110.00	\$82.00	\$27-137

Blue cell	equals lower Tax
White cell	equals higher Tax

Trying to compare individual towns to each other is difficult if not impossible given the numerous use and category permutations in each town's fee schedule. There are however, generalizations that can be made when one reviews the different codes. The categories above generally appear in all the codes and therefore a comparison can be made. The last three lines compare the average charge for a business office, professional office and a service business. While not every business fits into these categories there is a general pattern as noted above.

Business tax receipts are an important part of the revenue structure of Lake Park. As can be seen from the comparison above the proposed increases are generally in line with other communities.

ORDINANCE NO. ____-2008

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ORDINANCE 22-2007 AS RECENTLY CODIFIED IN CHAPTER 28 AT SECTION 28-51 OF THE TOWN CODE WHICH INCREASED THE ANNUAL BUSINESS TAX BY 25% FOR THE BUSINESSES LISTED IN ORDINANCE 22-2007; PROVIDING FOR THE REPEAL OF SECTION 28-43 ENTITLED "SELF-CLASSIFICATION OF BUSINESS MERCHANT"; PROVIDING FOR THE AMENDMENT OF SECTION 28-45, ENTITLED "ADDITIONAL TAX BASED ON MERCHANDISE STOCK;" PROVIDING FOR THE AMENDMENT SECTION 28-51 ENTITLED "SCHEDULE OF TAXES AND REGULATIONS" TO INCREASE THE ANNUAL BUSINESS TAX CHARGED BY THE TOWN FOR THOSE CLASSIFICATIONS OF BUSINESSES, OCCUPATIONS, AND PROFESSIONS AS THEY EXISTED PRIOR TO THE ADOPTION OF ORDINANCE 22-2007 BY 5% PURSUANT TO SECTION 205.0535, FLA. STAT. (2007); PROVIDING FOR THE AMENDMENT OF THAT PORTION OF SECTION 28-51 REQUIRING ALL BUSINESSES CLASSIFIED AS MERCHANTS TO PAY AN INVENTORY TAX ON ALL STOCK OF MERCHANDISE; 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 taxation of business, occupations, and professions which maintain and operate an office and/or branch office within the Town which have been codified in Chapter 28 of the Town's Code of Ordinances; and

WHEREAS, pursuant to Ordinance 22-2007 the Town Commission purported to increase the amount of the business taxes charged by 25% utilizing the rate increase provisions of Section 205.043, Fla. Stat. (2007); and

WHEREAS, subsequent to the adoption of Ordinance 22-2007 Town staff reviewed the Town's legislative history with respect to business taxation, and the business tax rates and classifications adopted by the Town Commission as recommended to it by the Equity Study Commission in 1995; and determined that it should have recommended a tax rate increase of 5% instead of 25%; and

WHEREAS, as result Town staff has recommended to the Town Commission that it repeal Ordinance 22-2007; and

WHEREAS, Town records reflect that the Town has not increased the business taxes levied by the Town since the year 2002; and

WHEREAS, in accordance with the limitation contained in Section 205.0535(4), Fla. Stat. (2007), and the other pertinent requirements of Chapter 205, Fla. Stat. (2007), Town Staff is recommending that the Town Commission adopt a 5% increase to the business taxes levied by the Town; and

WHEREAS, Town staff's review of Chapter 28 of the Town Code revealed that some businesses which met the definition of merchants were not taxed on their stock of merchandise; and

WHEREAS, Town staff has concluded that this Ordinance is necessary to clarify that all businesses which may also be classified as merchants because they maintain a stock of merchandise are subject to a merchandise inventory tax in addition to the base tax rate for their particular business classification; and

WHEREAS, pursuant to Section 28-46 of Chapter 28 of the Town Code whenever any occupation, business, professional or privilege shall fall into more than one of the classifications contained in the business tax schedule, including the "merchant" classification, it shall comply with the business tax requirements of each such classification; and

WHEREAS, pursuant to Section 28-50 (c) the Finance Director has interpreted Article II of Chapter 28 has determined that Section 28-42 of this Article conflicts with Section 28-46 of this Article; and

WHEREAS, given the interpretation of a conflict between the application of Section 28-43 and 28-46 the Finance Director has recommended the repeal of Section 28-43; and

WHEREAS, the Town Commission agrees with the interpretations of Town staff as to the administration and implementation of Chapter 28 of the Town Code, including the clarification of the merchandise inventory tax to be applied to all merchants; and

WHEREAS, The Town Commission has determined that it is appropriate to repeal Ordinance 22-2007, as now codified in Section 28-51 of the Town Code and to adopt a 5% increase to return to the existing schedule of taxes and regulations, which was contained in Section 28-51 of the Town Code prior to the adoption of Ordinance 22-07.

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. Ordinance 22-2007 of the Town Commission of the Town of Lake Park, Florida is hereby repealed in its entirety.

Section 3. Section 28-43 is hereby repealed:

Sec. 28-43. Self-classification of business as merchant.

~~(a) Any person specifically classified in this article and having a fixed or flat business tax imposed, who maintains a regularly established place of business in the town and who keeps complete records of all business transacted, and which business by the nature thereof is capable, for the purpose of this article, of being classed as a merchant, may elect to be classified as a retail or wholesale merchant, as the case may be, by complying with the requirements of this article for merchants, and paying on the basis of the merchant's rate, in lieu of the fixed or flat rate. In the event of such election, stock of merchandise shall mean stock of merchandise for all business transacted by such person.~~

~~(b) The following businesses, professions or occupations are excluded from qualifying for a merchant's business tax receipt hereunder:~~

~~(1) Abstract companies or abstractors;~~

~~(2) Auditors, public accountants, auditing companies and public bookkeepers;~~

~~(3) Brokers;~~

~~(4) Consultants;~~

~~(5) Insurance adjusters;~~

~~(6) Insurance agents;~~

~~(7) Insurance companies or bonding companies;~~

~~(8) Professions.~~

Section 4. Chapter 28, Section 28-45 is hereby amended as follows:

Section 28-45. Additional tax based on merchandise stock

Any person beginning any new business coming under any classification the for a
business tax receipt ~~for which is based on~~ including those businesses which also meet

the definition of merchant and maintain a stock of merchandise, shall pay ~~the minimum~~ and all other business tax receipts required ~~and shall~~ at the end of the first 60 days' business; file a sworn affidavit statement of such stock of merchandise as shown by an inventory thereof taken on the sixtieth day; and the business tax shall be computed on such inventory and whatever ~~additional~~ base tax, if any, is due shall be paid at such time and a receipt(s) shall be issued showing the payment of such amount(s).

(b) Where it is required in this article that a business tax shall be based on stock of merchandise, it shall be in addition to any business taxes paid under any other classifications, and the stock of merchandise, as used for the determining of such business tax shall be based on the stock of all merchandise whether classified business tax receipts are also required or not.

Section 5. Chapter 28, Section 28-51, is hereby amended to increase the business taxes to be levied by the Town by 5% and to clarify that all business which are also classified as merchants are subject to a merchant inventory tax on any stock of merchandise, as follows:

ARTICLE II BUSINESS TAX RECEIPTS

Sec. 28-51. Schedule of taxes and regulations.

(a) All businesses that also fall within the merchant classification because they maintain for resale a stock of merchandise, shall be subject to a merchandise inventory tax in addition to any base operation taxes levied for their specific classification. The business tax on every merchant, whether any other business receipt tax is required by any other particular classification in subsection (b), ~~below of this article or not~~, shall be measured by the amount of stock of merchandise ~~or goods~~, and shall be figured and arrived at as follows:

First \$1000.00 or fraction thereof: \$22.05
 Per each additional \$1000.00 or fraction thereof..... \$ 5.25

~~The words "stock of merchandise" shall be held to mean the cash value of merchandise or goods on hand last January first, or for the applicant's fiscal year, whichever being the higher, and not the amount of the capital stock invested in the business. If a business tax receipt is issued for a business not operating on the preceding January first, then a business tax receipt shall be issued for \$22.05 on a merchandise valuation of \$1,000.00. Inventory shall be taken 60 days after the issuance of the business tax receipt and the business tax shall be computed on such inventory and whatever additional tax, if any is due, shall be paid at such time and a receipt shall be issued showing the payment of such amount.~~

(b) CLASSIFICATIONS The business receipt taxes shall be based on the classifications listed as follows:

A

<u>(1) ABSTRACT COMPANIES</u>	<u>141.00</u>	<u>148.05</u>
<u>Additional business tax receipt required for:</u>		
<u>a. AB102 Mortgage loan business, negotiating for loans between companies and persons</u>	<u>47.00</u>	<u>49.35</u>
<u>b. AB104 If title insurance furnished</u>	<u>47.00</u>	<u>49.35</u>
<u>c. Record searchers without abstract, see Record Searchers.</u>		
<u>(2) ACCOUNTANT or BOOKKEEPER (See #25 for Auditors and Professional Accountants)</u>	<u>47.00</u>	<u>49.35</u>
<u>(3) ACO40 ACUPUNCTURIST</u>	<u>84.00</u>	<u>88.20</u>
<u>(4) AC020 ACETYLENE GAS OR OXYGEN MANUFACTURER</u>	<u>94.00</u>	<u>98.70</u>
<u>(5) AD020 ADMINISTRATOR, business administrator, covers directing the operation of various businesses as to their operations, etc.</u>	<u>141.00</u>	<u>148.05</u>
<u>(6) AEXXX ADULT ENTERTAINMENT ESTABLISHMENT. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.</u>	<u>945.00</u>	<u>992.25</u>
<u>(7) ADVERTISING: AD040 Advertising, promotions, marketing agent or agency</u>	<u>141.00</u>	<u>148.05</u>
<u>(8) AL010 ALTERATIONS ON CLOTHING. Not including merchants, tailors, laundries and cleaners where alteration or repairs are incidental to the primary business</u>	<u>47.00</u>	<u>49.35</u>
<u>(9) AM010 AMBULANCE SERVICE, connected or not connected with funeral homes...</u>		

	47.00	49.35
(10) AMUSEMENTS:		
a. AM010 Swimming pool, entry fee charged	47.00	49.35
b. Bowling alley:		
1. AM025 First two lanes	47.00	49.35
2. AM026 Each additional lane	14.00	14.70
c. AM030 Circus	220.00	231.00
d. DA020 Dancehalls, includes variety exhibitions, etc., where admission is charged	94.00	98.70
e. AMO40 Golf, miniature, each course	47.00	49.35
f. Theaters, Motion picture and live performance:		
1. AM050 Less than 300 seats	220.00	231.00
2. AM051 Between 301 and 400	294.00	308.75
3. AM052 Between 401 and 600	367.00	385.35
4. AM053 Over 600	441.00	463.05
5. AM054 All drive-in theaters	141.00	148.05
g. AM060 Operator of amusement devices and music machines	294.00	308.75
h. Amusement parks, temporary, per week	294.00	308.75
i. Games arcades, amusement parlors:		
1. AM070 Twenty or fewer games or devices	94.00	98.70
2. AM071 Over 20, per machine	5.50	5.78
j. Pony rides for children:		
1. AM080 Where live ponies are used (for a short time), per corral or ring	28.00	29.40
2. AM081 Where live ponies are used (per year), each corral or ring	66.00	69.30
Applicant must furnish evidence that liability insurance is carried in amounts not less than: \$100,000.00 one person and \$300,000.00 one accident.		
k. Pool and billiard rooms:		
1. AM090 For first four tables, each table	22.00	23.10
2. AM091 Each additional table	9.00	9.45
l. AM100 Rinks, skating, bicycle, motorbike and such	94.00	98.70
n. AM110 Shooting galleries, using explosive ammunition, each place of business or location	94.00	98.70
m. AM120 Shows, traveling shows of all kinds, except circus, per day	141.00	148.05
o. AM130 Sightseeing boats	47.00	49.35
Space to operate must be approved and assigned by the town commission. Marine coverage insurance must be in effect and in full force. A certificate of the insurance must be filed with the application for a business tax receipt before a business tax receipt can be issued.		
p. AM140 Street carnivals, including side shows, and other amusements incident thereto, for each day or fraction thereof	189.00	198.75
To be issued subject to a permit being granted by the chief of police and		

subject to the provisions that may be contained therein.

(11) ANIMAL AND/OR DOG GROOMING

a. AN010 Established place of business and no vehicles in service, no kennel operation permitted. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

..... 47.00 49.35

b. AM020 Mobile with no established place of business within the town, each vehicle 47.00 49.35

(12) AN030 ANIMAL HOSPITALS, KENNELS. State certificate from Florida Board of Veterinarian Examiners required 94.00 98.70

(13) AN040 ANTIQUE SALES. Definition: Merchandise of intrinsic value not to be confused with secondhand merchandise. New merchandise must be less than 50 percent of total inventory value. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

(14) APPRAISER:

a. AP010 Property real, personal or intangible, each 141.00 148.05

b. AP011 Diamonds and jewels, each 47.00 49.35

c. AP012 Automobiles, motor vehicles and boats, each 47.00 49.35

(15) AR010 ARCHITECT (Certificate from Florida Board of Architecture required), includes landscape architect with state certification, each

..... 94.00 98.70

(16) ARMORED CAR SERVICE:

a. AR020 business office 47.00 49.35

b. AR022 plus each vehicle 47.00 49.35

(17) AR030 ARMS SALES 180.00 189.00

Includes pistols, shotguns and firearms of all kinds, and/or knives, brass knuckles, slingshots, switchblades, or any other handheld device ruled to be a deadly weapon by the Florida Supreme Court. Does not cover fireworks. Surety bond and police reports required. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

(18) AR040 ARTISANS OR CRAFTSMAN, school of instruction or one person working along meeting all qualifications of existing town ordinances relating to the particular trade. If inventory is also part of the business then the business is also subject to the merchandise inventory tax..... 47.00 49.35

(19) ARO60 ARTIST, INCLUDING commercial, sketching, portrait, cartooning, silhouettes, etc. 47.00 49.35

(20) AS010 ASTROLOGIST, CLAIRVOYANTS, FORTUNETELLERS, OCCULTISTS

..... 945.00 991.25

(21) ATHLETIC CLUBS: If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

a. AT010 Each Club 47.00 49.35

b. AT011 Each employee in addition to above 9.00 9.45

(22) AT020 ATLAS AND MAP COMPILING AND SURVEY AGENCY, includes compiling maps, directories, atlases, radio programs. Door to door solicitations of orders not permitted under this classification, but covers survey work. 141.00 148.05

(23) AT030 ATTORNEYS-AT-LAW, Without further business tax receipt, may act as a collection agency and may pay taxes for clients without being classified as a tax collection agency; may also act as Insurance Adjustor, F.S. § 626.851 et seq., each
 141.00 148.05

(24) AUCTIONS:

a. **AU010 AUCTIONEER**, excludes an auctioneer working at an established auction gallery or auction house, per day 367.00 385.35
 b. **AU020 AUCTION GALLERY AND AUCTION HOUSE**. 4,260.00 1,323.00
 c. **AU030 AUCTION SALE**, in other than an established auction gallery or auction house; per day 47.00 49.35

(25) AU080 AUDITORS, CERTIFIED PUBLIC ACCOUNTANTS, AND AUDITING COMPANIES. Proof of state certificate required, each 141.00 148.05

(26) AUTOMOBILE SALES, SERVICE, RENTAL REPAIR, SHIPPING. See Motor Vehicles.

B

(27) BAKERS, BAKERIES:

a. **BA046** Retail or wholesale with an established place of business within the town limits 47.00 49.35
 b. **BA048** Wholesale or retail route, where plant is outside the town, and not maintaining a warehouse within the town, per vehicle... 47.00 49.35

(28) BANKS, FINANCIAL INSTITUTIONS, SAVINGS AND LOAN ASSOCIATIONS, FINANCE COMPANIES, CREDIT UNIONS, CHECK CASHING BUSINESS, LAON COMPANIES:

a. **BA040** Main or branch office 220.00 231.00
 b. **AT050** Automated teller machine (ATM) at each location within town limits .
 110.00 115.50

(29) BARBERSHOP, BEAUTY PALOR, FACE MASSAGING AND HAIR DRESSING, INCLUDES MANICURIST. Permits retail sale of barber and beauty supplies. If inventory is also part of the business then the business is also subject to the merchandise inventory tax. 94.00 98.70

(30) BA070 BATH TURKISH, RUSSIAN, SWEDISH, including massage
 47.00 49.35

(31) BE010 BEAUTY COLLEGES 47.00 49.35
 Must have a licensed physician in staff and at least one registered beautician as instructor or each ten pupils. At least six months' instructions and give oral and written tests.

(32) BE030 BENCH ADVERTISING, as permitted by the town's sign code Chapter 24, per bench 47.00 49.35

(33) BICYCLES:

a. **BI010** Bicycle dealers, includes sales, rentals, and repairs. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.
 b. **B1012** Bicycles for hire and/or repair, only. No sales..... 47.00 49.35

(34) BINGO PARLOR, bass fee..... 210.00 220.50
 Plus 2.00/fixd seat base amount on maximum seating capacity.

(35) BL020 BLUEPRINTING, including maps and plats 94.00 98.70

(36) BOATS:		
a. BO010 Ferry and sightseeing, each.....	47.00	49.35
b. BO012 For hire, canoes, rowboats and/or motor boats	47.00	49.35
c. BO014 Sales. Motors, boat trailers, with an established place of business within town limits. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.		
BOND, STOCK BROKER OR DEALER (See BROKERS).		
(37) BO030 BONDSMAN, PROFESSIONAL , issued to both companies and individuals. Surety companies, individuals and insurance companies that become a surety for the release of a person on bail and have received compensation therefore.....		
	47.00	49.35
(39) B0040 BOOK COMPILING AND OFFERING FOR SALE .		
Door-to-door solicitation not permitted. Survey work permitted.47.00.....		
		49.35
(40) B0042 BOOK LENDING LIBRARY		
	47.00	49.35
(41) B0050 BOOKING AGENCY FOR ENTERTAINMENT, MUSIC, SHOWS, ORCHESTRAS		
	47.00	49.35
(42) B0060 BOOT AND SHOE REPAIRING		
	47.00	49.35
(43) BOTTLED OR CANNED SOFT DRINKS:		
a. B0080 All bottlers and warehouses of soft drinks	141.00	148.05
b. B0084 Distributors, route sales and delivery, without an established place of business in the town, per vehicle	47.00	49.35
(44) BOTTLED WATER:		
a. BO090 Bottled water production plant.....	47.00	49.35
b. BO092 Bottled water service, from truck with no established place of business within the town limits, must have name on each side of vehicle, per vehicle		
	47.00	49.35
(45) BR002 BROADCASTING STATIONS , commercial radio, not including not for profit or public broadcasting stations.....		
	220.00	231.00
(46) BR010 BROADCASTING MUSIC BY WIRE OR SATELITE TRANSMISSION		
	47.00	49.35
(47) BROKERS:		
a. BU030 Business broker, broker or persons buying and selling established businesses, when not paying a real estate broker's license.....	94.00	98.70
b. BR020 Merchandise. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.		
	141.00	148.05
c. BR022 Mortgage or loan, advertising for and negotiating loans but not actually lending money from their own funds	189.00	198.45
d. Yacht Sales . Sales by order or from stock carried on hand. If inventory is also part of the business then the business is also subject to the merchandise inventory tax....	94.00	
	98.70	
(48) CS110 BURGLAR ALARM SYSTEM-SERVICES , sales, maintenance, etc. business. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	94.00	98.70

<u>(49) BU040 BUSINESS OFFICE, UNCLASSIFIED, any business office not otherwise classified.....</u>	<u>94.00</u>	<u>98.70</u>
<u>(50) BU050 BUTCHER SHOPS, connected or not connected with other establishments.....</u>	<u>66.00</u>	<u>69.30</u>

C

<u>(51) CA010 CABINET SHOPS, MILLWORK, NOVELTY WORKS.....</u>	<u>94.00</u>	<u>98.70</u>
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(52) CAR WASH:

<u>a. CA010 In conjunction with another business establishment, such as motor vehicle filing or service station.....</u>	<u>47.00</u>	<u>49.35</u>
<u>b. CA010 As a stand-alone business establishment.....</u>	<u>94.00</u>	<u>98.70</u>

(53) CARPET AND RUG CLEANING SERVICES:

<u>a. RU020 With established place of business in town.....</u>	<u>47.00</u>	<u>49.35</u>
<u>b. RU010 With no established place of business in town, service from vehicles, ... each vehicle.....</u>	<u>47.00</u>	<u>49.35</u>

<u>(54) CA010 CATERER, a business or individual which provides food and drink to clubs, homes and parties.....</u>	<u>47.00</u>	<u>49.35</u>
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<u>(55) CH030 CHIROPRACTORS.....</u>	<u>141.00</u>	<u>148.05</u>
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If inventory is also part of the business then the business is also subject to the merchandise inventory tax

<u>(56) CH040 CHRISTMAS TREE LOT, for profit sales, to be open for no more than any four weeks during the period from November 15 to December 30. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....</u>	<u>47.00</u>	<u>49.35</u>
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<u>(57) CI020 CITRUS FRUIT SHIPPER, including taking orders for fruit shipping; if part of retail sales establishment, a business tax receipt is required in addition to merchant license. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....</u>	<u>66.00</u>	<u>69.30</u>
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<u>(58) CL040 CLUB SHOPPERS HEADQUARTERS, regular club membership where gifts are selected and members are billed and sent a gift each month. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....</u>	<u>66.00</u>	<u>69.30</u>
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(59) COIN-OPERATED, VENDING AND OTHER MACHINES. The following machines are exempt: postage stamps, drinking cups, unadulterated Florida produced citrus juice, parcel checking lockers and toilet locks used in depots, hotels and restaurants; and cigarette machines. Operator, must furnish a list of locations; tags must be attached to machines; if electrically operated, log application to electrical inspector. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

<u>a. CO020 Beverage and food, per machine.....</u>	<u>66.00</u>	<u>69.30</u>
<u>b. CO004 General merchandise, not specifically listed, \$0.25 or less to operate.....</u>	<u>5.50</u>	<u>5.78</u>
<u>c. General merchandise, not specifically listed, more than CO006 \$0.25 to operate.....</u>	<u>9.00</u>	<u>9.45</u>
<u>d. CO014 Music (juke) boxes.....</u>	<u>66.00</u>	<u>69.30</u>
<u>e. CO016 Pinball/video game machines, per machine.....</u>	<u>66.00</u>	<u>69.30</u>

Maximum fee \$1,600.00 for each establishment, per year. For amusement or trade, or service purposes not herein specifically classified, shall pay such tax as shall be determined from time to time by the town manager on a basis comparative with other coin-operated or vending machines.

(60) CO020 COLD DRINK STANDS , not a temporary concession	47.00	49.35
(61) CO030 COLD STORAGE , other than ice factory and when not paying a warehouse and public storage license	94.00	98.70
(62) CO040 COLLECTION AGENCY OR BILL COLLECTING : One employee, per each employee	47.00	49.35
(63) CO050 COMMERCIAL FREIGHT AND PASSENGER AGENCY , applicable when the company is not otherwise business taxed by the town	220.00	231.00
(64) CO060 CONCESSION , within an established place of business or in temporary stands for not over five days. If inventory is also part of the business then the business is also subject to the merchandise inventory tax	9.00	9.45
(65) C0070 CONCRETE MIXING PLANT, ROCK CRUSHING INCLUDED	367.00	385.35
(66) CO080 CONSIGNMENT SHOP , used merchandise which is not owned by the proprietor; must comply with requirements of Town Code Chapter 23	100.00	105.00
(67) CONSULTANT AND/OR BUSINESS ADVISORS , where advice is the only service rendered, and nothing is brought or sold in connection with the service rendered. Includes: Bond consultant; city planning consultant; Landscape architect; computer consultant (software or Website developer, system designer or similar lines); engineer (civil, consulting, drafting, electrical, mechanical, or similar lines, where a contractor's license is not required); investment securities consultant; naturalization consultant, personal problem consultant; public relations consultant; tax consultant; and other similar professionals		
a. CO090 Consulting firm , with more than one employee	141.00	148.05
b. CO092 An individual consultant , no additional employees	18.50	19.43
(68) CONTRACTORS , Proof of carrying "workman's compensation"; for new contractors, a letter from examining board is required that any required examination has been passed or must have competency card:		
a. CO108 Building contractors, general	141.00	148.05
b. CO124 Engineering or heavy construction contractors , including bridges, bulkheading, drainage, excavating, sewer, pile driving, seawalls, sidewalks and streets, grading and paving and similar work	189.00	198.45
c. CO001 All other contractors as defined by the Contractors Licensing Board of Palm Beach County	94.00	98.70
(69) CO300 COURT REPORTER, STENOGRAPHER , each	47.00	49.35
(70) CR010 CREDIT BUREAU-CREDIT INFORMATION ON PERSONS , with an established place of business	47.00	49.35

D

(71) DA030 DANCE STUDIO	47.00	49.35
(72) DAY CARE , Adult or children. No permanent residents.		
a. DA001 One to 15 clients	40.00	42.00
b. DA002 Sixteen to 30 clients	60.00	63.00
c. DA003 Thirty-one to 45 clients	90.00	94.50

d. DA004 Forty-six to 60 clients.....	120.00	126.00
e. DA005 More than 61 clients	150.00	157.50
(73) DEBT OR BILL COLLECTION AGENCY:		
a. CO040 Agency	47.00	49.35
b. CO042 Agent, each.....	47.00	49.35
(74) DE020 DELICATESSEN	66.00	69.30
If inventory is also part of the business then the business is also subject to the merchandise inventory tax		
(75) DE030 DEMONSTRATOR – HOME, AND/OR HOSTESS PARTY. A "demonstrator" shall mean a person who arranges or sponsors parties where goods or merchandise are demonstrated by samples or catalogues and orders taken for future delivery. Per demonstrator		
	28.00	29.40
(76) DE050 DENTAL HYGIENIST	47.00	49.35
(77) DE060 DENTIST, each	94.00	98.70
(78) DE070 DETECTIVES, DETECTIVE AGENCIES, NIGHT WATCH SERVICES, HOME PROTECTIVE AGENCIES AND MERCHANT POLICE. Each employee		
	141.00	148.05
(79) DI010 DIRECTORIES, persons making or offering for sale, state, county, town or telephone directories or otherwise. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	141.00	148.05
(80) DI020 DISCOUNT CORPORATION. This classification covers situations where paper is brought on refrigerators, cares, stoves, washing machines, etc., and does not cover small loans where interest is charged, short time loans or personal loans.		
	220.00	231.00
(81) DI050 DISTRIBUTION OF SAMPLES. Distributing samples for advertising purposes through the town: Example; soaps, detergents, cigarettes, gum, candies, etc. including crew chiefs, supervisors, etc. Agents, itinerant, not representing any firm who pays a license under this ARTICLE, taking orders for, or selling to consumer either by sample or direct, any merchandise, per month. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	47.00	49.35
(82) DO010 DOG TRAINER AND OBEDIENCE SCHOOL	47.00	49.35
(83) DR010 DRAMATIC SCHOOL	47.00	49.35
(84) DR020 DRESSMAKING SHOPS, SEAMSTRESS	47.00	49.35

E

(85) EL010 ELECTRIC LIGHT OR POWER COMPANIES. Electric utility companies generating, distributing and furnishing electricity for light and power can operate in this town only after having been granted a franchise by the town commission.		
	367.00	385.35
(86) EL020 ELEVATORS, dealer in and repairs.....		
	94.00	98.70
Merchant business tax receipt required. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	94.00	98.70
(87) EM020 EMPLOYMENT AGENCIES, nongovernmental, when charging for service, for administrative, clerical and professional day labor employment.....		
	94.00	98.70
(88) EN020 ENGINEER; LIAISON SERVICE, each	47.00	49.35
(89) EN030 ENGRAVERS, when not paying any other town business tax		

	47.00	49.35
<u>(90) EXHIBITIONS, promoted by commercial establishment, to be held for no more than 14 consecutive days during any three month period; no more than four exhibitions per year at any one establishment or shopping center. Examples of exhibitions are: auto shows, arts and crafts shows, clothesline art shows, bicycle races, band concerts, boat shows, promotion of research products.</u>		
a. EX010 An exhibition for which no policing is necessary, and no inspections are necessary by fire, health, building, police, electrical or plumbing inspectors, annual business tax.	-141.00	148.05
b. EX011 An exhibition for which policing is necessary, and inspections are necessary by fire, health, building, police, electrical or plumbing inspectors, annual business tax.	-270.00	283.50
<u>(91) EX020 EXPORT AND/OR IMPORT BROKER, no merchandise for sale, each</u>		
	47.00	49.35
<u>(92) EX040 EXTERMINATOR, PEST CONTROL</u>		
	94.00	98.70

F

(93) FILLING STATION, GAS STATION, automobile service stations, washing, polishing, greasing, lubrication and like servicing of automobiles, selling gasoline and oil; car wash requires additional license (see CAR WASH): If inventory is also part of the business then the business is also subject to the merchandise inventory tax

a. FI010 Not more than one employee (including owner or manager)	18.90	19.85
b. FI012 Two employees	36.00	37.80
c. FI014 Three or four employees	66.00	69.30
d. FI016 Five or six persons employees	94.00	98.70
e. FI018 More than six employees	125.00	131.25

(94) FI020 FILM DEVELOPING, PHOTO FINISHING, ETC. 47.00 49.35

(95) FI030 FILM, VIDEO, MOTION PICTURE RENTAL LIBRARY. This is in addition to a camera shop. If inventory is also part of the business then the business is also subject to the merchandise inventory tax...... 47.00 49.35

(96) FIRE EXTINGUISHERS:

a. FI040 Sales and service, with place of business within town limits, using vehicles to perform services. If inventory is also part of the business then the business is also subject to the merchandise inventory tax

b. FI042 Wholesale from truck, no established place of business within town, per vehicle	47.00	49.35
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(97) FI060 FISH MARKET, retail and wholesale. Merchant business tax receipt required. If inventory is also part of the business then the business is also subject to the merchant inventory tax..... 66.00 69.30

(98) FI070 FISH, SMOKING OR SALTING..... 47.00 49.35

(99) FLORIST, FLOWER STAND:

a. FL020 In an established place of business along, or within a grocery store or similar business establishment. If inventory is also part of the business then the business is also subject to the merchandise inventory tax 47.00 49.35

b. FL030 Retail form truck, each vehicle. Merchant business tax receipt required. If inventory is also part of the business then the business is also subject to the merchandise

inventory tax.....	47.00	49.35
c. FL032 Wholesale, from truck to places of business, for resale, each vehicle. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	47.00	49.35
(100) FO010 FOOD LOCKERS AND COLD STORAGE , renting cold storage space to the public other than ice factory and when not paying a warehouse and public storage business tax.....		
	94.00	98.70
(101) FRUIT, VEGETABLE AND PRODUCE:		
a. FR010 Dealers, wholesale. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	66.00	69.30
b. FR012 Retail or wholesale, per vehicle. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.....		
	47.00	49.35
(102) FUNERAL CHAPELS, UNDERTAKERS. When carrying a stock of, or selling caskets, or any other merchandise, or personal property, the business is also subject to the merchandise inventory tax.		
a. FU010 Without embalming		
	47.00	49.35
b. UN020 With embalming, having only one embalmer.....		
	94.00	98.70
c. UN022 With embalming, each additional embalmer.....		
	47.00	49.35

G

(103) GA020 GARBAGE AND TRASH DISPOSAL, private concern

.....	47.00	49.35
a. Must have written permission (permit) from director of public works before being put on application.		
b. Execution of letter of application showing name or names of persons to be licensed; in case of corporation then the principal officials.		
c. Business and home address of each person.		
d. Description of equipment used in removal, transportation and disposal.		
e. Exact location of and method of disposal.		
f. Application is first submitted to superintendent of public works for full investigation.		
g. Health department for full investigation.		
h. After being in operation, any change in personnel named on application, any change in equipment for removal or transportation, location or method of disposal, must first be reported to superintendent of public works and health department for permission therefore.		
i. Fingerprints and I.D. card.		
j. Name on both sides of truck.		
k. If a resident, must certify that business is conducted from a vehicle and not from a residence.		
l. Insurance.		

(104) GA028 GAS APPLIANCES AND TANKS , installation of.....		
.....	47.00	49.35

(105) GAS, BOTTLED GAS, GAS COMPANIES, GASOLINE (BULK), LIQUIFIED NATURAL GAS, KEROSENE, OILS FOR ILLUMINATING, COOKING, OR LUBRICATING, PROPANE:

a. Wholesale dealers:		
1. GA030 One truck.....	189.00	198.45
2. GA032 Each additional truck.....	94.00	98.70

Any person operating a truck or any other vehicle from which gasoline or oil is sold or delivered at wholesale or for the purpose of resale shall be deemed a wholesaler or peddler within any of the foregoing classifications; excepting operators of vehicles for and carrying the names of licensed wholesale gasoline or oil dealers conspicuously painted in letters on both sides of the vehicle or tank attached thereto, and who furnished the town upon demand a certificate from the licensed dealers signed by a person authorized to bind the licensed dealer, putting forth a description of the vehicle and stating that the vehicle is being operated under the control and direction of the licensed dealer and that the licensed dealer assumes all responsibility for any liabilities that may be incurred by the operation of the vehicle.

b. GA034 Retail dealers:	47.00	49.35
c. Bottled gas:		
1. GA036 Service from a truck, with no established place of business, per vehicle	47.00	49.35
2. GA038 With an established place of business within the town limits. <u>Permits wholesale or retail of manufactured gas or liquefied petroleum gas. Merchant business tax required. Name on both sides of trucks. No installation of appliance or tanks permitted under this business tax.</u>		
d. GA040 Propane filling stations	47.00	49.35
<u>This category includes stations for the filling of propane tanks and stations which "exchange" filled tanks for empty tanks when operated on the premises of or in conjunction with another business.</u>		
(106) GO010 GOLD (OLD) BUYERS , connected or not connected with establishment.	47.00	49.35
(107) GU010 GUNSMITH , if inventory is also part of the business then the business is also subject to the merchandise inventory tax.	47.00	49.35

H

(108) HO015 HOME OCCUPATIONS , pursuant to zoning code section 32-96	94.00	98.70
<u>When a home occupation is within an otherwise listed classification, the higher fee shall be applied.</u>		
(109) HOME CLEANING SERVICE FROM VEHICLE OR TRUCK:		
a. HO020 One employee	18.00	18.90
b. HO022 More than one employee, per employee	9.00	9.40
(110) HO030 HOMEOPATHIC OR DRUGLESS PHYSICIAN	94.00	98.70
(111) HOSPITALS, CLINICS, SANITARIUMS, INFIRMARIES OR CONVALESCENT HOMES , includes any clinic or other establishment, operating for a profit, having facilities to keep patients overnight or for longer periods, except nursing homes.		
a. HO040 Fewer than ten beds	141.00	148.05
b. HO042 For each additional bed over ten	9.00	9.40
(112) HOTELS AND MOTELS , per rental unit	10.50	11.03

I

(113) IC010 ICE CREAM PALOR , includes establishments serving frozen yogurt and frozen specialty foods.	94.00	98.70
<u>If inventory is also part of the business then the business is also subject to the</u>		

merchandise inventory tax.

(114) IC020 ICE CREAM PRODUCTS, NUTS, CANDIES AND POPCORN, sold at retail from motor scooter and/or truck with no established place of business, each vehicle. If inventory is also part of the business then the business is also subject to the merchandise inventory tax. 47.00 49.35

(115) IC030 ICE MANUFACTURER 66.00 69.30

(116) RESERVED

(117) IM010 IMMIGRATION AND NATURALIZATION CONSULTANT, advice to client on papers and procedure of naturalization 94.00 98.70

(118) IMPORT-EXPORT AGENCY (broker). No merchandise handled. Each employee 47.00 49.35

(119) IN005 INCOME TAX SERVICE, INDIVIDUAL, not full-time occupation, for time from January 1, to April 15 of any one year. If no advertising is done and there are not employees. No business tax required. ACCOUNTANT AND BOOKKEEPER.

(120) INSURANCE:

a. **IN010 Adjusters, each** 47.00 49.35

b. **IN012 Agency, health, life, property** 94.00 98.70

c. **IN020 Each licensed agent** 18.90 19.85

d. **IN014 Insurance or bonding companies** 141.00 148.05

e. **IN018 Title insurance agency** 47.00 49.35

(121) IN040 INTER-CITY BUS TERMINAL OR OFFICE 47.00 49.35

(122) IN050 INTERIOR DECORATOR, DESIGNER DISPLAY ROOMS AND SHOWROOMS, where no stock on floor is carried for sale. If inventory is also part of the business then the business is also subject to the merchandise inventory tax. 47.00
49.35

(123) IN060 INVESTMENTS, Stocks, bonds, futures, options
..... 47.00 49.35

J

(124) JANITOR OR GENERAL CLEANING:

a. **JA010 Service establishment, for residential and/or commercial clients, window washing, waxing and cleaning floors, etc.** 47.00 49.35

b. **JA012 From a truck with no established place of business, each vehicle**
..... 47.00 49.35

(125) JE010 JEWELRY OR WATCH REPAIRING. If inventory is also part of the business then the business is also subject to the merchandise inventory tax. 28.00 29.40

(126) JUNK DEALER OR SHOP, GATHERER, JUNKYARD:

a. **JU010 Junk dealer, in an enclosed structure** 141.00 148.05

If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

b. **JU020 Junk gatherer, by vehicle when not covered by junk dealer's business tax, requires a surety bond of \$250.00. Each vehicle** 47.00 49.35

If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

c. **JU030 Junkyard** 360.00 378.00

If inventory is also part of the business then the business is also subject to the

merchandise inventory tax.

K

(127) KENNEL, ANIMAL HOSPITAL (See #12)

(128) KE040 KEY OR LOCKSMITH, when not paying any other town business tax.....
..... 27.00 28.35

L

(129) LA002 LABORATORY, a chemical, dental, medical, optical, testing or other
laboratory which analyzes or assembles materials and parts. 47.00 49.35

(130) LA010 LAND DEVELOPMENT MANAGEMENT OFFICE, whether land is in town
or outside town..... 141.00 148.05

(131) LAUNDRY:

a. Coin-operated, self-service laundry:

1. LA020 One to 20 washers and/or dryers (coin-operated or not) base prices
..... 94.00 98.70

2. LA022 Over 20 washers and/or dryer machines, in addition to above base tax, per
machine..... 4.50 4.73

3. Vending machines used in connection with laundry machines, selling soap,
starches, detergents, bleaches and similar products:

i. LA026 One to four machines, base price..... 18.50 19.43

ii. LA028 Over four machines, in addition to base tax, per machine
..... 4.50 4.73

b. Laundry, dry cleaning and/or pressing:

1. LA030 Dry cleaning plants or pressing clothing, in town... 47.00 49.35

2. LA032 Pick-up station or branch office 47.00 49.35

3. LA042 With no established place of business within town limits, each vehicle
..... 47.00 49.35

(132) LAWN AND GARDEN SERVICE

a. LA060 With an established place of business in town limits 47.00 49.35

b. LA062 Without an established place of business in town limits, per vehicle
..... 47.00 49.35

(133) LINEN, TOWEL AND UNIFORM SERVICE AND/OR RENTAL:

a. LI010 With an established place of business in town limits 47.00 49.35

b. LI020 With no established place of business in town limits, each vehicle.....
..... 47.00 49.35

M

(134) MA060 MAIL ORDER ESTABLISHMENT, with no merchandise on floor for sale
..... 47.00 49.35

(135) MA062 MAIL RETAIL STORE, MAIL BOX CENTER, not United States Postal
Service, if selling merchandise must also obtain merchant business tax receipt. If inventory
is also part of the business then the business is also subject to the merchandise inventory
tax.

..... 47.00 49.35

(136) MA064 MAIL OR PACKAGE DELIVERY, COURIER, not United States Postal
Service 220.00 231.00

(137) MA070 MANUFACTURING OR FACTORY. If inventory is also part of the business then the business is also subject to the merchandise inventory tax		
94.00	98.70	
(138) MA080 MASSEUR, each	47.00	49.35
(139) MERCHANT. All businesses which maintain a stock of merchandise as defined herein.		
(140) ME040 MESSENGER SERVICED OR PACKAGE DELIVERY SERVICE		
	47.00	49.35
(141) MI010 MICROFILMING SERVICE	47.00	49.35
(142) MO010 MOBILE FOOD SERVICE, with no established place of business in town, each vehicle	47.00	49.35
If inventory is also part of the business then the business is also subject to the merchandise inventory tax		
(143) MO020 MODELING AGENCY	47.00	49.35
(144) MOTOR VEHICLE SALES, SERVICE, REPAIR, RENTAL, SHIPPING, TOWING, includes automobiles, trucks, tractors, and motorcycles.		
a. Association agency. Membership agency for customers' service such as AAA.		
1. AU090 Base of operation	47.00	49.35
2. AU092 Each salesperson	9.00	9.45
b. AU110 Driving/motor vehicle operators school	47.00	49.35
c. Filling/gasoline station. See FILLING STATION.		
d. AU150 Motor vehicle rental agency or delivery service, headquarters or office	47.00	49.35
e. Motor vehicle sales.		
1. New vehicles. Franchise agencies or persons engaged in the sale of new automobiles or trucks shall be subject to the following schedule of business taxes based on the number of only new units sold per annum. If inventory is also part of the business then the business is also subject to the merchandise inventory tax, provided however the merchandise inventory tax shall not exceed \$20,000. This provision may be subject to an increase only pursuant to Sections 205.042 or 205.0535(4), Florida Statutes.		
Preceding year		
i. AU070 4 to 99	189.00	198.45
ii. AU071 100 to 149	220.00	231.00
iii. AU072 150 to 199	294.00	308.70
iv. AU073 200 to 249	367.00	385.35
v. AU074 250 to 299	441.00	463.05
vi. AU075 300 to 349	441.00	463.05
vii. AU076 350 or over	504.00	529.20
2. Used vehicles, trucks, and motorcycles. Agencies or persons engaged in the sale of only used automobiles, trucks or tractors or new tractors shall be subject to the following schedule of business taxes based on the number of used units or new tractor units sold per annum. If inventory is also part of the business then the business is also subject to the merchandise inventory tax, provided however the merchandise inventory tax shall not exceed \$20,000. This provision may be subject to an increase only pursuant to Sections 205.042 or 205.0535(4), Florida Statutes.		
Preceding year		
i. AU080 4 to 99	94.00	98.70

ii. AU081 100 to 149	141.00	148.05
iii. AU082 150 to 199	189.00	198.45
iv. AU083 200 to 249	189.00	198.45
v. AU084 250 to 299	221.00	232.05
vi. AU085 300 to 349	257.00	269.85
vii. AU086 350 or over	294.00	308.70
3. Agencies or persons licensed under subsections 1 or 2 are required to obtain a business tax receipt for each of the following additional businesses conducted on the site. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.		
i. Motor vehicle repair shop;		
ii. Paint and body shop;		
iii. Parts department, whether retail sales only or in association with repair shop;		
iv. Used cars;		
v. No business tax receipt required for auto wrecking service if used in normal course of business and not registered with law enforcement agencies for calls;		
vi. Parts, sales.		
AU129 New parts. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.		
AU130 Used parts (secondhand dealer)	47.00	49.35
No business tax receipt required for auto wrecking if used in normal course of business and not registered with law enforcement departments for calls. Notice to chief of police of any autos purchased from juveniles		
vii. Repairs.		
AU122 Paint and body shops	120.00	126.00
AU120 Vehicle repair and parts installation, machine shop, radiator, tune up, tire, upholstery, installation of new or used parts for repair or performances, stereos, no paint and body repair, etc.	120.00	126.00
viii. AU140 Storage. Motor vehicle storage or parking either in buildings or on lots where one employee or person is engaged, including the proprietor or manager		
	94.00	98.70
ix. Taxicabs and for hire, including "jitneys" and any other form of for hire transportation service. Proof of minimum insurance required by state department of motor vehicles. A sworn copy of rate and fare schedule must be filed with permit application.		
AU160 For each person or concern operating a taxicab business	47.00	49.35
AU162 Plus an additional business tax for each cab or taxi operated, each		
x. AU170 Towing or wrecking service if registered with law enforcement departments. State road, sheriff and law enforcement departments. State road, sheriff and law enforcement personnel for calls, law enforcement personnel shall include on its call list only those duly licensed as wrecker services, per vehicle		
(145) MOVING AND TRANSFER COMPANY, includes household moving and general freight transportation:	47.00	49.35
a. TR034 When operating only one vehicle	47.00	49.35
b. TR030 When operating two vehicles.	94.00	98.70
c. TR032 When operating more than two vehicles, per additional vehicle.	47.00	49.35

(146) MUSIC:

a. MU010 Conservatory	47.00	49.35
<u>Teaching of music by staff, booking musical events and entertainment, such as shows and orchestras. If there is retail sales of sheet music, musical instruments and other related materials, a merchant business tax receipt is required.</u>		
b. <u>Playing machines, coin-operated, see COIN-OPERATED MACHINES.</u>		
<u>c. Teachers, no business tax receipt required. Persons giving lessons in homes without assistance or staff require no business tax receipt however, if music, records, or instruments are sold, then a merchant business tax receipt is required.</u>		
d. MU020 Wire music, operator, or dealer, music furnished by wire or satellite connection, operator or dealer, to hotel rooms, banks, offices, etc.	47.00	49.35

N

(147) NA010 NATUROPATH	94.00	98.70
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(148) NEWS:

a. NE002 Magazine depot, wholesale	47.00	49.35
<u>If merchandise is sold, an additional merchant business tax receipt is required. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.</u>		
b. NE010 News, weather service for contractors, construction companies, etc.		
.....	47.00	49.35
<u>c. Newspapers:</u>		
1. NE020 Daily newspapers	189.00	198.45
2. NE022 Weekly or other newspapers	47.00	49.35
d. NE030 Newsstand, retail connected or not connected with another business. If merchandise is sold, an additional merchant business tax receipt is required any inventory is also subject to the merchandise inventory tax.	47.00	49.35

(149) NO010 NOVELTY RACKS AND/OR COUNTERS , within an established place of business, vehicles servicing, each vehicle	47.00	49.35
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(150) NURSERY, SHRUBS, TREES OR PLANTS. Includes growing, sales, maintenance service: If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

a. NU010 Nursery in town limits	94.00	98.70
b. NU012 Maintenance service with established place of business in the town limits		
.....	47.00	49.35
c. NU014 Maintenance service, with no established place of business in the town limits, each vehicle	47.00	49.35
(151) NU020 NURSING HOMES , adult-regular	47.00	49.35

O

(152) OF010 OFFICE EQUIPMENT RENTAL SERVICE. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

.....	47.00	49.35
(153) OP010 OPTICAL, LABORATORY , producing lenses not for use in correction of sight	94.00	98.70

(154) OP020 OPTICIAN, DISPENSING AND FILLING PRESCRIPTIONS AND PRODUCING LENSES FOR LICENSED DOCTORS. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

..... 141.00 148.05

(155) OR040 ORTHOPEDIC SHOE TECHNICIAN SERVICE, when not incidental to a shoe shop. If inventory is also part of the business then the business is also subject to the merchandise inventory tax..... 47.00 49.35

P

(156) PACKAGE DELIVERY COMPANIES, SEE #63 COMMERCIAL FREIGHT AND PASSENGER DELIVERY.

(157) PA010 PAINTER, PAPER HANGER..... 47.00 49.35

(158) PAPER, WASTE-SERVICE:

a. With an established place of business within town limits:

1. **PA020 Base 47.00 49.35**

2. **PA022 In addition to base, each vehicle used in performance of service 47.00 49.35**

b. **PA024 With no established place of business within town limits, 47.00 49.35**

(159) PA040 PAWNBROKERS, PAWNSHOPS, requires approval by the town commission, after a permit has been issued by law enforcement personnel, \$250.00 cash or surety bond. If selling other than articles taken on pledge, then inventory which is part of the business is subject to the merchandise inventory tax. 400.00 462.00

(160) PEDDLERS, DOOR-TO-DOOR SALES:

a. **PE010 Peddlers of any non-food goods, wares, or merchandise, occupying or using any part of the streets or sidewalks, or peddling door to door.** If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

..... 420.00 441.00

b. **PE014 Peddlers of fresh food or prepared food products using a cart or vehicle which is not an automobile or truck 47.00 49.35**

(161) PE030 PERSONAL SERVICES NOT OTHERWISE CATEGORIZED 94.00 98.70

(162) PE020 PET SHOPS, BIRDS, FISH AQUARIA, includes the sale of supplies, pet foods, etc. 47.00 49.35

If inventory is also part of the business then the business is also subject to the merchandise inventory tax.

(163) PHOTOGRAPHY:

a. Aerial services, see CONSULTANTS.

b. **PH010 Photo developing, photo finishing service 47.00 49.35**

c. **PH012 Studio 94.00 98.70**

If merchandise is sold and inventory is also part of the business then the business is also subject to the merchandise inventory tax.

d. **PH014 Refinishing or retouching laboratory 47.00 49.35**

e. Photo vending machine, see COIN-OPERATED MACHINES.

(164) GY010 PHYSICAL FITNESS FACILITIES, COMMERCIAL GYMS. If merchandise is sold, then the business is also subject to the merchandise inventory tax.

..... 150.00 157.50

<u>(165) PH020 PHYSICIAN, SURGEON, DENTIST, includes optometrist, osteopaths, physiatrists, psychologists, mental health care providers, each physician. If merchandise is sold, an additional merchant business tax receipt is required. If inventory is also part of the business then the business is also subject to the merchandise inventory tax.</u>		
	141.00	148.05
<u>(166) PO010 POPCORN OR PEANUT VENDORS, operating or maintaining a stand...</u>		
	47.00	49.35
<u>(167) PORTABLE TOILET SERVICE:</u>		
<u>a. PO020 With an established place of business in the town limits.</u>		
	47.00	49.35
<u>b. PO022 With no established place of business in the town limits, each vehicle.</u>		
	47.00	49.35
<u>(168) PO010 PRINTER, PRINTING SERVICES. If merchandise is sold, then the business is also subject to the merchandise inventory tax.</u>		
	94.00	98.70
<u>(169) PO020 PROMOTERS OF ENTERTAINMENT OR SPORTS.</u>		
	47.00	49.35
<u>(170) PROPANE SALES AND SERVICE. See #105, GAS.</u>		
<u>(171) PU010 PUBLIC RELATIONS, PUBLICITY AGENT.</u>		
	47.00	49.35
<u>(172) PU040 PUBLISHING COMPANY, includes books and magazines</u>		
	189.00	198.45
 R		
<u>(173) REAL ESTATE:</u>		
<u>a. RE010 Brokerage</u>		
	141.00	148.05
<u>b. RE012 Sales agent and broker</u>		
	47.00	49.35
<u>c. Rental Property:</u>		
<u>1. RE035 Single family home</u>		
	31.00	32.55
<u>2. RE038 Duplex and other residential, per unit</u>		
	21.00	22.05
<u>3. RE039 Commercial property, regardless of the number of suites, bays, offices, units or spaces to be rented, per location</u>		
	50.00	52.50
<u>(174) RENTAL SERVICE, includes tool, household items, party equipment, but not automobiles, trucks and motor vehicles.</u>		
<u>a. RE040 Established place of business within the town limits</u>		
	94.00	98.70
<u>b. RE042 Mobile with no established place of business in town limits, each vehicle</u>		
	47.00	49.35
<u>(175) REPAIRS SHOPS AND SERVICE, including nonlicensed contractor carpenter and other trades; repair of furniture, machines, and similar repair services. Does not include boat or motor vehicle repair. If merchandise is sold, then the business is also subject to the merchandise inventory tax.</u>		
<u>a. RE052 With an established place of business in town limits</u>		
	66.00	69.30
<u>b. RE050 With no established place of business in town limits, per vehicle</u>		
	47.00	49.35
<u>(176) RE060 RESEARCH SERVICES, MARKET ANALYSIS, FEASIBILITY STUDIES</u>		
	47.00	49.35
<u>(177) RESIDENTIAL CARE FACILITY RE065 (Group home, assisted living facility, congregate living facility, foster care home, or similar facility to care for adults or children who are residents of the facility)</u>		
	47.00	49.35

(196) TRAVEL BUREAU. A place of business for the solicitation of passenger transportation or for the sale, exchange, barter or transfer of passenger transportation or tickets by water, rail, air or motor, or an intermediary or medium between carriers and traveling public:

- a. TR050 Permanently established agency..... 94.00 98.70
- b. TR050 Seasonal agency or bureau, or itinerant agent..... 141.00 148.05

U

(197) UNCLASSIFIED:

- a. UN010 Any business, profession or occupation, not otherwise provided for herein
..... 94.00 98.70
- b. UN012 For each employee, in addition to the above 9.00 9.45

(198) UNIFORM SALES OR RENTALS:

- a. With an established place of business within the town limits. If merchandise is sold then the business is also subject to the merchandise inventory tax.
- b. UN020 With no established place of business, service from a truck, each vehicle
..... 9.00 9.45

V

(199) VE010 VETERINARY SURGEON OR VETERINARIAN, no extra charge with hospital or clinic for animals. If merchandise is sold, then the business is also subject to the merchandise inventory tax..... 141.00 148.05

W

(200) WAREHOUSE OR PUBLIC STORAGE:

- a. WA010 Five thousand square feet or less 66.00 69.30
- b. WA012 For each additional 5,000 square feet or fraction thereof.....
..... 47.00 49.35

(201) WATER SOFTENER SALES, SERVICE, INSTALLATION:

- a. WA030 Sales and rental of equipment and service. If merchandise is sold then the business is also subject to the merchandise inventory tax.
- b. WA032 With no established place of business in the town, each vehicle. If merchandise is sold then the business is also subject to the merchandise inventory tax .
..... 47.00 49.35

(202) WA010 WOOD YARD OR DEALER, including wood for lumber, boards, fuel, firewood, etc. If merchandise is sold, then the business is also subject to the merchandise inventory tax..... 47.00 49.35

<u>Description</u>	<u>Units</u>	<u>Base Tax</u>	<u>Min. Tax</u>
<u>Agriculture, Forestry, Fishing</u>	—	—	—
<u>Florist, in business or as part of grocery store</u>	—	<u>\$94.00</u>	—
<u>Lawn and garden service</u>	—	<u>94.00</u>	—
<u>Lawn/garden, nonlocal/vehicle</u>	<u>Vehicle</u>	—	<u>\$94.00</u>
<u>Nursery in town limits</u>	—	<u>94.00</u>	—
<u>Nursery maintenance service</u>	—	<u>94.00</u>	—

Garden/fruit stand—	—	94.00—	—
Other AG/garden if inventory is part of the business then subject to merchant tax also—	—	94.00—	—
Amusement, Recreation, Etc.—	—	—	—
Athletic clubs	—	94.00—	—
Athletic clubs additional tax per employee—	—	—	9.00—
Dance studio—	—	94.00—	—
Music conservatory—	—	94.00—	—
Physical fitness facilities, gym—	—	94.00—	—
Pool/billiard rooms—	Tables—	—	22.00
Theaters—	Seats—	—	—
Less than 300 seats—	—	275.00—	—
More than 300 seats—	—	330.00—	—
Other amusement/recreation if inventory is part of the business then subject to merchant tax also—	—	94.00—	—
Construction—	—	—	—
All other contractors—	—	141.00—	—
Building contractors, general—	—	141.00—	—
Cabinet shops, millwork, novelty, etc.—	—	141.00—	—
Eng. or heavy const. contractor—	—	141.00—	—
Engineer, liaison service—	Each—	0.00—	47.00—
Painter, paper hanger, sheetrock, etc.—	—	94.00—	—
Wood yard or dealer—	—	94.00—	—
Construction, other—	—	141.00—	—
Education, Day Care—	—	—	—
Day care, up to 15 children—	Children—	80.00—	—
Day care, 16–60 clients—	Children—	150.00—	—
Day care, more than 61 clients—	Children—	225.00—	—
Private schools, 1–15 students—	Students—	80.00—	—
Private schools, 17–50 students—	Students—	140.00—	—
Private schools, more than 51 students—	students—	200.00—	—
Day care, nonprofit—	—	47.00—	—
Financial—	—	—	—
Automatic teller, each location per machine—	Machines—	—	110.00—
Banks, S & L, loan companies—	—	220.00—	—

Gas stations, including convenience stores—	—	—	—
Filling station: pumps only, store is extra—	—	94.00—	—
Hospitals, Labs, Care Facilities—	—	—	—
Hospitals/clinics/convalescent home, each patient, less than 10 beds—	Beds—	141.00—	—
Hospitals/clinics/convalescent, per bed over 10—	Beds—	9.00—	—
Laboratory—	—	94.00—	—
Nursing homes—	—	94.00—	—
Housing and Lodging—	—	—	—
Hotels/motels, per unit—	Rooms—	—	11.00—
Rental, commercial property, per location—	—	100.00—	—
Rental property, single family—	Units—	—	62.00—
Rental, duplex/other, per unit—	Units—	—	26.00—
Rental, other—	Units—	—	26.00—
Rental service within town limits—	—	141.00—	—
Office—Business—	—	—	—
Administrator—	—	141.00—	—
Artist—	—	94.00—	—
Broadcasting stations—	—	141.00—	—
Broker, merchandise—	—	141.00—	—
Broker, mortgage or loan—	—	141.00—	—
Broker, yacht sales—	—	141.00—	—
Brokers, business—	—	141.00—	—
Business office, unclassified herein—	—	141.00—	—
Collection agency, to include one employee—	—	94.00—	—
More than one employee, per employee—	Employees—	94.00—	—
Consultants and/or business advisers, where advice is the only service rendered, and nothing is bought or sold in connection with the service rendered. Includes: bond consultants; city planning consultants; landscape architects; computer consultants (software or Website developer, system designer or similar lines); engineers (civil, consulting, drafting, electrical, mechanical, or similar lines, where a contractor's license is not required); investment securities consultants; naturalization consultants, personal problem consultants;	—	—	—

public relations consultants; tax consultants; and other similar professionals—			
Consultant, individual—	—	141.00—	—
Consulting firm with employees—	—	141.00—	—
Detectives/detective agencies—	—	141.00—	—
Employment agencies—	—	141.00—	—
Exterminator, pest control—	—	141.00—	—
Home occupations—	—	141.00—	—
Insurance agency, health/life/property—	—	141.00—	—
Insurance, title agency—	—	94.00—	—
Insurance or bonding company—	—	141.00—	—
Insurance agency, each licensed agent—	Agents—	—	19.00—
Interior decorator/designer—	—	94.00—	—
Land development management office—	—	141.00—	—
Modeling agency—	—	94.00—	—
Multiservice—	—	141.00—	—
Newspapers—	—	141.00—	—
Newsstand, retail—	—	94.00—	—
Optician—	—	141.00—	—
Orthopedic shoe technician service—	—	94.00—	—
Promotion of sports—	—	94.00—	—
Real estate broker/appraiser—	—	141.00—	—
Real estate sales agent/broker per agent/broker—	—	94.00—	—
Research services—	—	94.00—	—
Solicitors—	—	94.00—	—
Telephone answering service—	—	94.00—	—
Telephone company—	—	420.00—	—
Business, other (if inventory is part of the business then subject to merchant tax also)—	—	141.00—	—
Office— Professional—	—	—	—
Accountant/bookkeeper—	—	94.00—	—
Animal hospitals—	—	141.00—	—
Architect certificate from Florida Board of Architecture required—	—	141.00—	—

Attorneys at law, without further business tax receipt, may act as a collection agency and may pay taxes for clients without being classified as a tax collection agency; may also act as insurance adjuster, F.S. § 626.851 et seq.—	Each atty.—	—	141.00—
Auditors/CPA's—	—	141.00—	—
Chiropractors—	—	141.00—	—
Dental hygienist—	—	94.00—	—
Dentist—	Each—	—	94.00—
Physician, surgeon—	Units—	—	141.00—
Veterinary surgeon or vet—	—	141.00—	—
Office, professional, other (if inventory is part of the business then subject to merchant tax also)—	—	141.00—	—
Restaurants, Food Service and Processing	—	—	—
Bakery/baker, retail/wholesale—	—	94.00—	—
Butcher shops—	—	94.00—	—
Caterer—	—	94.00—	—
Cold drink stands—	—	94.00—	—
Delicatessen—	—	94.00—	—
Fish market—	—	94.00—	—
Ice cream parlor—	—	94.00—	—
Restaurant, capacity to 25 patrons—	—	94.00—	—
Restaurant, take out service—	—	94.00—	—
Restaurant, 26–75 patrons—	—	125.00—	—
Restaurant, over 75 patrons—	—	200.00—	—
Concession—	—	94.00—	—
Retail and Wholesale Sales—	—	—	—
Artisans or craftsman—	—	94.00—	—
Bicycle dealers/service—	—	—	47.00—
Consignment shop—	—	94.00—	—
Fire extinguishers sales and service—	—	94.00—	—
Fire extinguishers/from truck—	Trucks—	94.00—	—
Gas/propane wholesale, one truck—	—	189.00—	—
Oil/gas, bottled, truck service—	Trucks—	—	94.00—
Gas, retail dealers—	—	94.00—	—

Gas/propane filling stations—	—	94.00—	—
Ice cream/nuts/popcorn/vehicle—	Vehicles—	—	47.00—
Jewelry or watch repairing—	—	94.00—	—
Office equipment rental svc.—	—	94.00—	—
Pet shops, birds, fish, aquaria—	—	94.00—	—
Printer, printing services—	—	94.00—	—
Shoe and boot repair shops—	—	94.00—	—
Swimming pool—	—	94.00—	—
Concession—	—	18.00—	—
Retail/wholesale, other (if inventory is part of the business then subject to merchant tax also) —	—	94.00—	—
Services—	—	—	—
Alterations not including businesses where alterations or repairs are incidental to the primary business —	—	94.00—	—
Animal and/or dog grooming —	—	—	47.00—
Auctioneer, fixed building—	—	94.00—	—
Auctioneer, no fixed building—	—	141.00—	—
Barbershop/beauty parlor—	Chair—	—	94.00—
Each additional chair—	Chair—	—	9.00—
Bench advertising, per bench—	Benches—	—	47.00—
Bingo parlor—	—	220.00—	—
Boats, hire/canoes/row/motor—	—	94.00—	—
Burglar alarm system/services—	—	94.00—	—
Car wash with service station—	—	94.00—	—
Car wash business—	—	94.00—	—
Carpet cleaner vehicle service—	Vehicles—	—	47.00—
Cleaning service/pressure washing—	—	94.00—	—
Garbage/trash private firm—	—	94.00—	—
Janitorial, from truck—	—	94.00—	—
Janitorial, residential/commercial clients—	—	94.00—	—
Key or locksmith—	—	94.00—	—
Laundry, coin op service 1-20 machines—	—	94.00—	—
More than 20 machines: base tax plus per machine tax—	Machines—	—	5.00—
Laundry vending, soap etc., 1-4 machines—	—	18.00—	—

Laundry vending, soap etc., 5 or more per machine—	—	—	5.00—
Laundry, dry cleaning—	—	94.00—	—
Laundry pick up station—	—	94.00—	—
Mail or package delivery, courier—	—	220.00—	—
Mail order establishment—	—	94.00—	—
Mail retail—	—	94.00—	—
Masseur—	Each—	—	47.00—
Messenger/package delivery service—	—	94.00—	—
Personal service not categorized—	—	94.00—	—
Repair shop/service, per vehicle—	Vehicles—	—	47.00—
Repair shop/service, business in town—	—	240.00—	—
Photo studio—	—	94.00—	—
Tailer—	—	94.00—	—
Tanning parlor—	—	94.00—	—
Ticket booking office—	—	94.00—	—
Portable toilet service—	—	94.00—	—
Travel agency/bureau—	—	94.00—	—
Services, other (if inventory is part of the business then subject to merchant tax also)—	—	94.00—	—
Storage, Warehousing—	—	—	—
Bottlers/Warehouse soft drinks, 250K—	—	210.00—	—
Warehouse, single use—	—	94.00—	—
Warehouse, office less than or equal to 5,000 square feet—	—	94.00—	—
Warehouse, office greater than 5,000 per additional 5,000 square feet or fraction thereof—	—	141.00—	—
Warehouse, other (if inventory is part of the business then subject to merchant tax also)—	—	141.00—	—
Transportation, Communication, Utilities—	—	—	—
Cell tower, radio/TV tower—	—	141.00—	—
Each additional lessee—	Lessee—	—	141.00—
ATV sales and service plus business tax based on value of inventory—	—	141.00—	—
New or used boat sales plus business tax based on value of inventory—	—	300.00—	—

New and used boats as above are required to obtain a business tax receipt for each of the following additional businesses conducted on the site: boat repair shop; paint and body shop; parts department whether retail sales or in association with repair shop. Parts and sales business tax receipt is based on inventory.—	—	—	—
Boat repair/parts install—	—	141.00—	—
Boat paint and body shop—	—	240.00—	—
Boat used parts dealer—	—	94.00—	—
Boat storage—	—	184.00—	—
Motor vehicle sales, new—Franchise agencies or persons engaged in the sale of new automobiles, motor homes or trucks shall be subject to the following schedule of business taxes based on the number of only new units sold per annum: preceding year, plus business tax based on value of inventory.—	—	—	—
1—99—	Cars/year—	284.00—	—
100—149—	Cars/year—	330.00—	—
150—199—	Cars/Year—	441.00—	—
200—249—	Cars/year—	459.00—	—
250—299—	Cars/Year—	551.00—	—
300—349—	Cars/year—	551.00—	—
350 or over—	Cars/year—	630.00—	—
Motor vehicle sales, used—Agencies or persons engaged in the sale of used automobiles, motor homes or trucks shall be subject to the following schedule of business taxes based on the number of only used units sold per annum: preceding year, plus business tax based on value of inventory.—	—	—	—
1—99—	Cars/year—	141.00—	—
100—149—	Cars/Year—	212.00—	—
150—199—	Cars/year—	284.00—	—
200—249—	Cars/year—	284.00—	—
250—299—	Cars/year—	332.00—	—
300—349—	Cars/year—	386.00—	—
350 or over—	Cars/year—	441.00—	—

New and used vehicles as enumerated above are required to obtain a business tax receipt for each of the following additional businesses conducted on the site: motor vehicle repair shop; paint and body shop; parts department whether retail sales or in association with repair shop; used cars. Parts and sales business tax receipt is based on inventory.—	—	—	—
Motor vehicles assoc. agency (e.g. AAA), base operation—	—	94.00—	—
Motor vehicles assoc. agency per salesperson—	Sales person—	18.00—	—
Motor vehicle repair/parts install—	—	141.00—	—
Motor vehicle paint and body shop—	—	240.00—	—
Motor vehicle used parts dealer—	—	94.00—	—
Motor vehicle storage—	—	184.00—	—
Motor vehicles, rental headquarter—	—	94.00—	—
Taxicabs and for hire vehicles of any form, proof of minimum insurance required by state department of motor vehicles. A sworn copy of rate and fare schedule must be filed with permit application.—	—	—	—
Taxi business to include one vehicle—	—	94.00—	—
Additional vehicles per vehicle—	—	—	94.00—
Auto wrecking service/towing per vehicle (if registered with law enforcement departments)—	Vehicles—	94.00—	—
Vending Machines—	—	—	—
Vending, coin-operated and other machines—The following machines are exempt: postage stamps; drinking cups; unadulterated Florida citrus juice; parcel checking lockers and toiled locks; and cigarette machines. Operator must furnish a list of locations; tags must be attached to machines; if electrically operated, log application to electrical inspector. There is a maximum tax of \$2,000 per year. For items not herein specified, such tax shall be determined from time to time by the town manager on a basis comparative with other vending machines.—	—	—	—
C.O. vending machine per machine—	Machines—	—	66.00—
C.O. pinball/video games—	Machines—	—	66.00—
Game arcades/parlors—	# of games—	—	94.00—
Other	—	—	—

Adult entertainment—	—	1,100.00—	—
Junk yard—	—	450.00—	—
Pawnbrokers/pawn shops require approval by the town commission, after a permit has been issued by law enforcement personnel, \$250.00 cash or surety bond. If selling other than articles taken on pledge, a merchant business tax receipt is required in addition to the pawnbroker's business tax receipt—	—	500.00—	—
Merchandise inventory taxes—	—	—	—
Merchant. All merchandise not otherwise provided for in this article shall be classified as mercantile lines and each person engaged in the sale of such merchandise is required to cover their operations by obtaining a business tax receipt.—	—	500.00—	—

Section 5. 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 6. Repeal of Laws in Conflict. Ordinance 22-2007 is hereby repealed, and shall be replaced by this Ordinance. All ordinances or parts of ordinances in conflict herewith, specifically including but not limited to, Ordinance 22-2007, are hereby repealed to the extent of such conflict.

Section 7. Codification. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 8. Effective Date. This Ordinance shall take effect immediately upon adoption, however the taxes adopted hereby shall be levied as of Fiscal Year 2008-2009.

TAB 9

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: September ¹⁷~~20~~, 2008

Agenda Item No. *Tab 9*

- PUBLIC HEARING
 - Ordinance on Second Reading
 - Public Hearing

RESOLUTION

DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: an ordinance amending chapter 72 and providing for a method to set forth limitations and requirements for the abandonment of public rights-of-way.

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. Davis*

Date: ~~10~~ 9/10/08

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance
Department Review <input checked="" type="checkbox"/> Town Attorney <i>JOB</i> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input type="checkbox"/> Town Clerk <input type="checkbox"/> Town Manager
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ <i>WJ</i> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background: This application for a code text amendment was initiated and paid for by Stewart Toyota in anticipation of applying for a specific road abandonment at some point in the future. After researching the request it was determined that there is no existing method in the code for the Town Commission to abandon rights of way if the commission chooses to do so. Therefore, an amendment to the code is required and this ordinance amendment request will provide that method. This ordinance does not provide for the abandonment of any specific right of way it is simply a method that establishes the criteria to be reviewed and the process to follow if an applicant were to request an abandonment of a right of way. This ordinance will apply to any and all future requests for abandonment, not just Stewart Toyota. Any future request for abandonment will have to go through the process that is approved in this ordinance.

ORDINANCE NO. 16-2008

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 72, ARTICLE I, PERTAINING TO STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; CREATING SECTION 72-2 ENTITLED "CRITERIA FOR ABANDONING RIGHTS-OF-WAY;" CREATING SECTION 72-3 ENTITLED "APPLICATION FOR ABANDONMENT;" CREATING SECTION 72-4 ENTITLED "PROCEDURES FOR ABANDONMENT APPLICATIONS;" CREATING SECTION 72-4 ENTITLED "COMMISSION HEARING AND REPORT;" CREATING SECTION 72-6 ENTITLED "RECORDING;" 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 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 public rights-of-way, which have been codified at Chapter 72 of the Code of Ordinances; and

WHEREAS, Town staff has determined that creating Sections 72-2, 72-3, 72-4, 72-5, and 72-6 of the Code is necessary to clarify the Town's requirements for the abandonment of public rights-of-way; and

WHEREAS, Town staff has recommended to the Town Commission that Sections 72-2, 72-3, 72-4, 72-5, and 72-6 of Chapter 72 of the Town's Code be created in order to more accurately set forth the limitations and requirements for the abandonment of public rights-of-way; 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 separate and distinct criteria for applications and abandonment's of public rights-of-way;

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 72, Article I, of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 72-2. Criteria for abandoning public rights-of-way.

(a) All applications for the abandonment of public rights-of-way shall be reviewed and acted upon by the Town Commission. The burden of proof shall be upon the applicant to show that the application is consistent with the Town's comprehensive plan and all of the standards listed in this section.

(b) The Town Commission may approve an abandonment application if the applicant demonstrates, by clear and convincing evidence, that a right-of-way is no longer required for a public use and convenience. Any proposed abandonment of a public right-of-way shall demonstrate that such action furthers the health, safety and welfare of the Town's residents. In making this determination, the Town Commission shall consider whether:

(1) the abandonment deprives any business or individual of a reasonable means of ingress and egress to that business or individual's property;

(2) the abandonment adversely affects utility service efficiency, or precludes the future provision of public or private utility services;

(3) the abandonment reduces adjacent property values; and

(4) the abandonment eliminates the potential use of dedicated property for a public purpose, including, but not limited to, pedestrian or vehicular access, recreation, environmental preservation, or stormwater management.

(c) Generally abandonments for an entire right-of-way should be considered, unless there are extenuating circumstances for considering the partial abandonment of a right-of-way.

(d) Each abandonment application shall include written statements from all public utilities serving the Town, including water, sewer, electric or cable television utilities, stating whether or not the proposed abandonment would adversely affect that utility.

(e) Prior to the Commission's consideration of the abandonment application the Community Development Director shall obtain an appraisal from a Florida licensed real estate appraiser of the subject property and the applicant shall reimburse the Town for the cost of same.

(f) The abandonment of a public right-of-way shall not occur until the applicant has paid to the Town the appraised value of the property to be abandoned, except as allowed by subsection (f) below. An abandonment approval shall be void if payment does not occur within 90 days from the date of approval by the Town Commission.

(g) The Town Commission may abandon an unused alley, street, utility easement, located within a residential zoning district, without payment to the Town, provided the abandonment is to the benefit of the Town, and the right-of-way is currently not used, or is not contemplated for future use by the public entity, such as a water, sewer, electric or cable television utility.

Sec. 72-3. Application for abandonment.

All requests for abandonment to the Town shall be made in writing upon an application form giving the following information:

- (1) The name and address of the applicant.
- (2) A description of the real property if any owned by the applicant, which would be affected by the abandonment request.
- (3) The reason for the abandonment request.
- (4) A general description of the street, alley or easement, other non-fee interest of the Town in real estate, which is to be abandoned and its location. A legal description, and a plat, survey or engineering drawing of the area involved.
- (5) The names and addresses of the owners, businesses or occupants of real property bounding and abutting the street, alley, or easement sought to be abandoned, and the property owners located within 250 feet thereof.
- (6) Such other relevant information as may be required in order to fully present the full circumstances of the abandonment request.

Sec. 72-4. Procedures for abandonment applications.

Applications for abandonment, together with the fee therefore, shall be made and presented to the Director of the Community Development Department, who shall proceed as follows:

(1) The Director shall review the application for compliance with the above requirements, returning incomplete or inaccurate applications to the applicant submitting same for correction or completion.

(2) The Director shall consult with the Public Works Director, Town Engineer, Town Attorney, or other staff advisors to the Town to review the relevant information concerning the abandonment requested.

(3) The Town shall require the applicant to notify all public utilities that may be affected by the abandonment requested, and obtain their response thereto.

(4) The Town shall require the applicant to notify the general public by posting signs and publishing notice upon the street or alley, or portion thereof affected, setting forth notice of the proposed abandonment, and of the date of the hearings to be held thereon by the Planning and Zoning Board.

Sec. 72-5. Commission hearing and report.

(a) The Town Commission shall hold a public hearing regarding the application for abandonment.

(b) The Commission shall consider the public right and interest in the right-of-way, subject to the application for abandonment from the standpoint of the benefit of the community as a whole, and may make findings regarding any rearrangement of streets and rights-of-way, which are involved therein in order to secure a more regular and harmonious system for traffic circulation. The Commission shall also determine valuation of any such street, alley, easement, or right-of-way to be abandoned, and the extent to which the public interest and general welfare of the community might be compensated by obtaining any alternate right-of-way, or any monetary contribution for additional right-of-way, or by any combination thereof, in exchange for the abandonment requested. The Commission may recommend conditions as appropriate for the requested abandonment.

Sec. 25-6. Recording.

It shall be incumbent upon the applicant to file a certified copy of the abandonment ordinance in the official records with the Clerk of the Circuit Court for Palm Beach County, and to furnish a copy of the recorded document to the Town Manager for inclusion in the official Town records.

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 relettered 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.

TAB 10

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. Tab 10

- | | |
|---|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Millage resolution.

RECOMMENDED MOTION/ACTION: Motion to approve millage resolution for Fiscal Year 2008-2009.

Approved by Town Manager *[Signature]* Date: 9/9/08
Anne M. Costello 9/9/08
 Name/Title Finance Director Date of Actual Submittal

Originating Department: Finance	Costs: \$ _____ Funding Source: Acct. # _____	Attachments: Resolution
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: <u>9/12/08</u> Paper: <u>Palm Beach Post</u> <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: In accordance with Chapter 200.065 F.S. the Town must approve a millage resolution to establish the millage rate for the next fiscal year. This is required for TRIM compliance.

RESOLUTION NO. 48-09-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2008/2009; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, §2 of the Florida Constitution and Chapter 166, Florida Statutes, the Town of Lake Park (Town) has the governmental, corporate and proprietary powers to conduct municipal government; and

WHEREAS, these powers include the authority to adopt millage rates to be levied by the Town Commission on all taxable real and tangible personal property within the Town each fiscal year; and

WHEREAS, the Town Commission has on this date held a properly advertised public hearing pursuant to the requirements of Section 200.065, *F.S.*, to adopt a millage rate for the Town's 2008/2009 Fiscal Year; and

WHEREAS, the Town Commission has held a public hearing and at that hearing has discussed "the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased"; and

WHEREAS, at said public hearing the public has been allowed to speak and ask questions regarding the tentative millage rate prior to adoption and the Town Commission has explained the reasons for the increase over the rolled-back rate; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are true and correct and incorporated herein.

Section 2. In order to fund the budget of the Town , a millage rate is hereby adopted and levied by the Town Commission , pursuant to the Statutes and Constitution of the State of Florida, as follows:

A. Upon first reading hereof, the tentative millage rate computed to fund the Town's proposed budget is hereby approved and adopted in the sum of 8.5163 mills. For each \$1,000.00 of assessed valuation, said millage rate will raise a tax of \$8.5163.

B. Upon second reading hereof, the final millage rate computed to fund the Town's final

budget is hereby approved and adopted in the sum of 8.5163 mills. For each 1,000.00 of assessed valuation, the millage rate will raise a tax of \$8.5163.

Section 3. The rolled-back millage rate computed by the Town pursuant to the instructions furnished by the Palm Beach County Property Appraiser for the fiscal year 2008-2009 is 8.2699 mills. The percentage, if any, by which the above specified millage rate to be levied by the Town exceeds the rolled-back rate, are as follows:

A. The tentative millage rate exceeds the rolled-back millage rate by 2.98 percent. This figure is declared to be the percentage increase, if any, in property taxes for the Town proposed to be adopted by the Town Commission.

B. The final millage rate exceeds the rolled-back millage rate by 2.98 percent. This figure is declared to be the percentage increase, if any, in property taxes for the Town actually adopted by the Town Commission.

Section 4. In order to fund the voter approved debt service for the Town , a millage rate of 1.1500 is hereby adopted by the Town Commission of the Town pursuant to the Laws and Constitution of the State of Florida.

Section 5. Pursuant to the millage rate aforesaid, the following amount of ad valorem taxes shall be raised and collected by the Town for municipal purposes and expenses for the fiscal year beginning October 1, 2008 and ending September 30, 2009, to-wit:

Under the tentative millage rate:	\$ 5,842,707
Under the final millage rate:	\$ 5,842,707

Section 6. Pursuant to the applicable provisions of the Constitution and Statutes of the State of Florida and the Town Charter , there is hereby levied a general municipal millage rate as above stated, respectively, upon the dollar amount of the assessed valuation of all taxable real and tangible personal property in the Town as returned by the Palm Beach County Property Appraiser in the Town's behalf and fixed by the Town Commission as shown by the 2008 tax roll for the Town, allowing the homestead and all other lawful exemptions as shown therein.

Section 7. The millage hereby levied, as above stated, respectively, is hereby approved and certified by the Town Commission of the Town, pursuant to the laws of the State of Florida.

Section 8. The ad valorem taxes hereby levied are for the purpose of raising funds, revenues and moneys to be used, set aside and expended for the functions and purposes of the municipal government of the Town pursuant to the Constitution and Laws of the State of Florida and the Town Charter.

Section 9. The ad valorem taxes which are hereby levied are in excess of and above all other revenues to be received by the Town and are to be collected during the fiscal year beginning October 1, 2008 and ending September 30, 2009. All such ad valorem taxes so specified and levied are ordered to be extended upon the tax rolls, books and records of Palm Beach County in the proper millage in proportion to the valuation of such property as returned by the Palm Beach County Property Appraiser and fixed by the Town Commission.

Section 10. The Town Clerk is hereby directed to furnish a certified copy of this Resolution upon adoption to the Palm Beach County Property Appraiser, the Palm Beach County Tax Collector and the Department of Revenue of the State of Florida, as required by Law.

Section 11. This Resolution shall take effect immediately upon adoption.

THE REST OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.

TAB 11

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: September 17, 2008

Agenda Item No. Tab 11

- | | |
|---|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | |
| <input type="checkbox"/> Other: | |

SUBJECT: Budget resolution.

RECOMMENDED MOTION/ACTION: Motion to approve budget resolution for Fiscal Year 2008-2009.

Approved by Town Manager

W. Davis

Date:

9/9/08

Anne M. Costello
Name/Title Finance Director

9/9/08
Date of Actual Submittal

Originating Department: Finance	Costs: \$ Funding Source: Acct. #	Attachments: Resolution
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: <u>9/12/08</u> Paper: <u>Palm Beach Post</u> <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background: In accordance with Chapter 200.065 F.S. the Town must approve a millage resolution to adopt the budget for the next fiscal year. This is required for TRIM compliance.

RESOLUTION NO. 49-09-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, pursuant to Chapter 166, Florida Statutes and Article VIII, §2 of the Florida Constitution,, the Town of Lake Park, Florida (Town) has the governmental, corporate and proprietary powers to conduct municipal government; and

WHEREAS, pursuant to Section 166.241, Florida Statutes, each municipality in the state of Florida is required to establish a fiscal year beginning October 1 of each year and ending September 30 of the following year shall adopt a budget each fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. As hereinafter stated in this resolution, the term "fiscal year" shall mean that period of time beginning October 1, 2008, and including September 30, 2009.

Section 2. The revenues hereinafter incorporated by reference shall be, and the same hereby are, appropriated to provide the monies to be used to pay the necessary operating and other expenses of the respective funds and departments of the Town for the above described fiscal year.

Section 3. Sums hereinafter incorporated by reference listed as operating and other expenses of the respective funds and departments of the Town shall be, and the same hereby are, appropriated and shall be paid out of the revenues herein appropriated for said fiscal year.

Section 4. The revenues and the expenses for which appropriations are hereby made, all set forth above, shall be as follows:

- A. As set out in the amended proposed Town of Lake Park General Fund Budget as on file in the Office of the Town Clerk of the Town.
- B. As set out in the amended proposed Town of Lake Park Debt Service Fund Budget as on file in the Office of the Town Clerk of the Town.
- C. As set out in the amended proposed Town of Lake Park Insurance Fund Budget as on file in the Office of the Town Clerk of the Town.
- D. As set out in the amended proposed Town of Lake Park Streets & Roads Fund Budget as on file in the Office of the Town Clerk of the Town.
- E. As set out in the amended proposed Town of Lake Park Marina Fund Budget as on file in the Office of the Town Clerk of the Town.
- F. As set out in the amended proposed Town of Lake Park Stormwater Fund Budget as on file in the Office of the Town Clerk of the Town.

- G. As set out in the amended proposed Town of Lake Park Sanitation Fund Budget as on file in the Office of the Town Clerk of the Town.

Section 5. The sums hereinbefore incorporated by reference based upon departmental estimates prepared by the Town Manager and the Finance Director, shall be, and the same hereby are, fixed and adopted as the budget for the operation of the Town of Lake Park Government and its other enterprises for the fiscal year beginning October 1, 2008.

Section 6. The Town adopts the provisions of Florida Statutes 200 which provides for the expenditures of monies for the fiscal year based upon the tentative budget approved by the Town Commission of the Town.

Section 7. This Resolution shall become effective upon adoption.