

ORDINANCE NO. 15-2005

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, EXEMPTING THE TOWN OF LAKE PARK, FLORIDA FROM THE PROVISIONS OF SECTIONS 101.657, FLORIDA STATUTES SPECIFICALLY RELATED TO EARLY VOTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL LAWS AND ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has adopted revisions to Section 101.657 of the Florida Statutes, relating to early voting in elections; and

WHEREAS, Section 100.3605, Florida Statutes, allows the Town of Lake Park ("Town") to adopt an ordinance, which exempts the Town from the provisions of Section 101.657, Florida Statutes; and

WHEREAS, the Town of Lake Park, has determined that it is in the best interest of its citizens to adopt an ordinance, which exempts municipal elections from the early voting provisions, contained in Section 101.657, Florida Statutes.

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

Section 1. The foregoing recitals are hereby adopted as true and correct findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission of the Town of Lake Park, Florida hereby exercises its right to exempt itself from the provisions of Section 101.657, Florida Statutes, and shall not conduct early voting for the Lake Park elections. Notwithstanding anything to the contrary contained herein, the Town may contract with the Supervisor of Elections, to

conduct early voting for the Town at the Office of the Supervisor of Elections, and at any other early voting sites the Supervisor may establish in locations other than Town Hall.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 5. This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 19 day of October 2005, the foregoing ORDINANCE 15-2005 was offered by Commissioner Balius, who moved its approval. The motion was seconded by Commissioner Carey, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	_____
VICE MAYOR ^{PAUL} GARRETSON	<u>Absent</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER ED DALY	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS _____ DAY OF _____, 2005, AND THE _____ DAY OF _____, 2005.

Upon Second Reading, this 16 day of November 2005, the foregoing ORDINANCE was offered by Commissioner Carey who moved its adoption. The motion was seconded by Commissioner Daly, and upon being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	_____
VICE MAYOR ^{PAUL} GARRETSON	<u>X</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER ED DALY	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____

The Mayor thereupon declared Ordinance No. 15-2005 duly passed and adopted this 16 day of November, 2005.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*
Mayor Paul Castro

ATTEST:

Stephanie Thomas
Stephanie Thomas
Town Clerk
(Town Seal)

Approved as to form and legal sufficiency

Thomas J. Baird
Thomas J. Baird, Town Attorney

