

ORDINANCE NO. 16-2005

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING ORDINANCE NO. 327, WHICH ASSESSED AND IMPOSED AN EXCISE OR LICENSE TAX LEVIED ON EVERY INSURANCE COMPANY, CORPORATION, OR OTHER INSURER, ENGAGING IN OR CARRYING ON, THE BUSINESS OF INSURING WITH RESPECT TO FIRE AND WINDSTORM RISKS, IN ADDITION TO THE LICENSE OR TAX LEVIED BY THE TOWN OF LAKE PARK, IN AN AMOUNT OF ONE PERCENT (1%) OF THE GROSS AMOUNT OF RECEIPTS OF PREMIUMS COLLECTED FROM POLICYHOLDERS ON ALL PREMIUMS FOR FIRE AND WINDSTORM INSURANCE POLICIES COVERING PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF LAKE PARK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida, through Chapter 175, Florida Statutes, created a revenue-sharing process whereby participating municipalities can receive a portion of the state excise tax on insurance premiums paid for policies covering property within the municipality, for the purpose of providing funding for the municipal firefighters' pension fund; and

WHEREAS, pursuant to Chapter 175, Florida Statutes, the Town Commission of the Town of Lake Park, Florida ("Town") adopted Ordinance 327, which assessed an excise tax on the premiums paid for insurance policies covering property within the legally defined boundaries of the Town of Lake Park, Florida; and

WHEREAS, pursuant to Chapter 175, Florida Statutes, proceeds received by the Town from the aforementioned excise tax have been deposited directly into the Fireman's Relief and Pension Fund; and

WHEREAS, the Town transferred its fire services to the Palm Beach County Fire Rescue effective at 7:30 am on June 29, 2002; and

WHEREAS, the Town has been notified by the Florida Division of Retirement that it may repeal the Ordinance 327, and terminate the Fireman's Relief and Pension Fund.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lake Park, Florida, as follows:

Section 1. Repeal of Ordinance 327. Ordinance No. 327, assessing and imposing a one (1%) percent excise tax on fire and windstorm insurance premiums for payment to the Town of Lake Park Fireman's Relief and Pension Fund, is hereby repealed.

Section 2. Repeal. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Section 3. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 4. Effective Date. This Ordinance shall take effect upon adoption.

Upon First Reading this 7 day of December, 2005, the foregoing Ordinance 16-2005, was offered by Commissioner Daly 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>X</u>	_____
COMMISSIONER CHUCK BALIUS	<u>X</u>	_____
COMMISSIONER JEFF CAREY	<u>X</u>	_____
COMMISSIONER ED DALY	<u>X</u>	_____

Upon Second Reading this 21 day of Dec., 2005, the foregoing Ordinance 16-2005, was offered by Commissioner Balius who moved its adoption. The motion was seconded by Commissioner Daly, 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 JEFF CAREY	<u>X</u>	_____
COMMISSIONER ED DALY	<u>X</u>	_____

The Mayor thereupon declared Ordinance No. 16-2005 duly passed and adopted this 21 day of December, 2005.

TOWN OF LAKE PARK, FLORIDA

ATTEST:

Stephanie Thomas
Stephanie Thomas
Town Clerk

BY Paul W. Castro
Paul W. Castro, Mayor



Thomas J. Baird
Thomas J. Baird, Esquire
Approved as to form and legal sufficiency

THE PALM BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Kristi Morrow**, who on oath says that she is **Customer Service Supervisor** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **Ordinances 10-2005 & 16-2005** was published in said newspaper in the issues of **December 18, 2005**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kristi Morrow

Sworn to and subscribed before 19th day of December, A.D. 2005

M. Thint

Personally known XX or Produced Identification _____
Type of Identification Produced _____



Karen M. McLinton
Commission # DD359566
Expires: NOV 15, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

NO. 4806274
LEGAL NOTICE OF
PROPOSED ORDINANCE
ADDITION
TOWN OF LAKE PARK
Please take notice that on
Wednesday, December 21,
2005 at 7:30 p.m. the
Commission of the Town of
Lake Park, Florida in regu-
lar session to be held in the
Commission Chambers,
Town Hall, 535 Park Ave-
nue, Lake Park, Florida will
consider the following Ord-
inances on second reading
and proposed adoption
thereof:
ORDINANCE NO. 10-2005
AN ORDINANCE THE
TOWN COMMISSION OF
THE TOWN OF LAKE
PARK, FLORIDA AMEND-
ING SECTION 2.8 AND
2.9.02 OF ORDINANCE 8,
1998 BY REPLACING
SAME WITH NEW SEC-
TIONS 2.8.01 AND 2.8.02,
ENTITLED "CUSTOMER
SERVICE REQUIRE-
MENTS AND PERFORM-
ANCE STANDARDS,"
PROVIDING FOR ADOPT-
ION OF REPRESENTA-
TIONS; PROVIDING FOR
AN ENFORCEMENT DATE;
PROVIDING FOR THE
REPEAL OF ALL ORDI-
NANCES IN CONFLICT;
PROVIDING FOR SEVER-
ABILITY; PROVIDING FOR
CODIFICATION AND
PROVIDING AN EFFECT-
IVE DATE.
ORDINANCE NO. 16-2005
AN ORDINANCE OF THE
TOWN COMMISSION OF
THE TOWN OF LAKE
PARK, FLORIDA, RE-
PEALING ORDINANCE
NO. 327, WHICH AS-
SESSED AND IMPOSED AN
EXCISE OR LICENSE TAX
LEVIED ON EVERY
INSURANCE COMPANY,
CORPORATION, OR
OTHER INSURER
ENGAGING IN OR CAR-
RYING ON THE BUSI-
NESS OF INSURING WITH
RESPECT TO FIRE AND
WINDSTORM RISKS, IN
ADDITION TO THE
LICENSE OR TAX LEVIED
BY THE TOWN OF LAKE
PARK, IN AN AMOUNT OF
ONE PERCENT (1%) OF
THE GROSS AMOUNT OF
RECEIPTS OF PREMIUMS
COLLECTED FROM POLI-
CYHOLDERS ON ALL
PREMIUMS FOR FIRE
AND WINDSTORM
INSURANCE POLICIES
COVERING PROPERTY
WITHIN THE CORPO-
RATE LIMITS OF THE
TOWN OF LAKE PARK,
PROVIDING FOR REPEAL
OF ALL ORDINANCES IN
CONFLICT; PROVIDING
FOR SEVERABILITY; AND
PROVIDING AN EFFECT-
IVE DATE.
If a person decides to appeal
any decision made by the
Town Commission with
respect to any hearing, they
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.
Stephanie Thomas,
Town Clerk
Town of Lake Park, FL
PUB: The Palm Beach Post
December 18, 2005