

**ORDINANCE NO. 17-2005**

**AN ORDINANCE OF THE TOWN OF LAKE PARK, FLORIDA,  
DECLARING A STATE OF LOCAL EMERGENCY IN THE  
TOWN OF LAKE PARK, FLORIDA, IN ACCORDANCE WITH  
CHAPTER 252.38 OF THE FLORIDA STATUTES;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR THE  
REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 252.38 (3)(a)(5), Florida Statutes, provides the authority for political subdivisions to declare and enact a State of Local Emergency for a period of seven (7) days, thereby waiving temporarily the procedures and formalities otherwise required of local governments by law pertaining to:

1. Performance of public work and taking whatever action is necessary to insure the health, safety and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
8. Appropriation and expenditure of public funds;

**WHEREAS**, the Governor of the State of Florida and the Board of County Commissioners of Palm Beach County have previously declared the existence of a State of Emergency in Palm Beach County; and

**WHEREAS**, Hurricane Wilma may pose significant, imminent and dangerous threats to the health, safety and welfare of the residents, businesses and visitors of Lake Park, Florida, as well as their real and personal property.

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

**Section 1.** The Town Commission hereby finds that it is necessary and appropriate to declare a State of Local Emergency because of Hurricane Wilma and the possibility of impacts from Hurricane Wilma which has and may include substantial injury or harm to the residents, businesses and visitors of the Town of Lake Park, Florida.

**Section 2.** The Town Commission hereby declares that a State of Local Emergency exists within the Town of Lake Park, Florida. In accordance with Florida Statutes, the duration of the State of Local Emergency is limited to seven (7) days, but may be extended by the Town Commission in seven (7) days increments.

**Section 3.** The Town Manager, or his designee is hereby empowered, authorized and directed to exercise, on behalf of the Town Commission, such emergency powers necessary to reduce the vulnerability of residents, businesses and visitors in the Town of Lake Park to damage, injury and property, as well as any other powers expressed.

**Section 4.** If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

**Section 5.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.


**Section 6.** This Ordinance shall become effective immediately and shall expire within seven (7) days, or if extended, then at such time as any additional seven (7) days increments shall expire.

Upon First Reading this 19 day of October, 2005, the foregoing ORDINANCE was offered by Commissioner Balius, who moved for adoption. The motion was seconded by Commissioner Daly, and upon being put to a vote, the result was as follows:

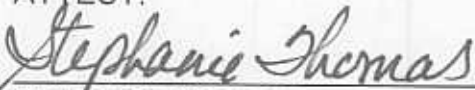
	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	—
VICE MAYOR PAUL GARRETSON	<u>Absent</u>	—
COMMISSIONER G. CHUCK BALIUS	<u>X</u>	—
COMMISSIONER JEFF CAREY	<u>X</u>	—
COMMISSIONER ED DALY	<u>X</u>	—

The Mayor thereupon declared Ordinance NO. 17-2005 duly passed and adopted this 19 day of October, 2005.


TOWN OF LAKE PARK, FLORIDA

BY   
Paul W. Castro, Mayor

ATTEST:

  
Stephanie Thomas  
Town Clerk



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