

## ORDINANCE NO.18-2004

AN ORDINANCE 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, 2004 AND ENDING SEPTEMBER 30, 2005; 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 2004/2005; PROVIDING FOR AN EFFECTIVE DATE.

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

**WHEREAS**, these powers include the power to adopt millage rates to be levied by the Town of Lake Park 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 2004/2005 Fiscal Year; and

**WHEREAS**, the Town Commission 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**, 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 ORDAINED 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 of Lake Park, a millage rate is hereby adopted and levied by the Town Commission of the Town of Lake Park, pursuant to the Laws and Constitution of the State of Florida, as follows:

A. Upon first reading hereof, the proposed millage rate computed to fund the Town's tentative budget is hereby approved and adopted in the sum of 8.35 mills. For each \$1,000.00 of assessed valuation, said millage rate will raise a tax of \$8.35.

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 XXX mills. For each 1,000.00 of assessed valuation, the millage rate will raise a tax of \$XXX.

**Section 3.** The rolled-back millage rate computed by the Town of Lake Park pursuant to the instructions furnished by the Palm Beach County Property Appraiser for the fiscal year 2004-2005 is 7.1449 mills. The percentage, if any, by which the above specified millage rate to be levied by the Town of Lake Park exceeds the rolled-back rate, are as follows:

A. The proposed millage rate exceeds the rolled-back millage rate by 16.8667 percent. This figure is declared to be the percentage increase, if any, in property taxes for the Town of Lake Park proposed to be adopted by the Town Commission.

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

**Section 4.** In order to fund the voter approved debt service for the Town of Lake Park, a millage rate of 1.90 is hereby adopted by the Town Commission of the Town of Lake Park 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 of Lake Park for municipal purposes and expenses for the fiscal year beginning October 1, 2004 and ending September 30, 2005, to-wit:

Under the proposed millage rate:	\$3,397,685
Under the final millage rate:	\$XXXXXXXX

**Section 6.** Pursuant to the applicable provisions of the Constitution and Laws of the State of Florida and the Charter of the Town of Lake Park, 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 of Lake Park as returned by the Palm Beach County Property Appraiser in the Town's behalf and fixed by the Town Commission as shown by the 2004 tax roll for the Town of Lake Park, 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 of Lake Park, 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 of Lake Park 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 of Lake Park and are to be collected during the fiscal year beginning October 1, 2004 and ending September 30, 2005. 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 of the Town of Lake Park.

**Section 10.** The Town Clerk is hereby directed to furnish a certified copy of this Ordinance upon first and second readings, respectively, 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 Ordinance shall take effect immediately upon adoption.

THE REST OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.

Upon First Reading this 22nd day of September, 2004, the foregoing ORDINANCE No. 18 -2004 was offered by Vice Mayor G. Chuck Balius who moved its approval. The motion was seconded by Commisioner Paul Garretson, and being put to a vote, the result was as follows:

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

Upon Second Reading this 29th day of Sept., 2004, the foregoing ORDINANCE was offered by Vice Mayor Balius who moved its adoption. The motion was seconded by Commisioner Garretson, and being put to a vote, the result was as follows:

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

The Mayor thereupon declared Ordinance No. 18-2004 duly passed and adopted this 29th day of September, 2004.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*  
Mayor Paul Castro

ATTEST:

*Stephanie Thomas*

Stephanie Thomas  
Interim Town Clerk

Approved as to form and legal sufficiency:

*Thomas J. Baird*  
Thomas J. Baird, Town Attorney

