

**TOWN OF LOXAHATCHEE GROVES**

**ORDINANCE NO. 2007-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE CODE OF ORDINANCES AND THE UNIFORM LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR REFERENCES TO THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TO BE REPLACED WITH REFERENCES TO THE TOWN COUNCIL FOR THE TOWN OF LOXAHATCHEE GROVES; TO PROVIDE FOR REFERENCES TO ANY BOARD, COMMITTEE, OR COMMISSION TO BE REPLACED WITH REFERENCES TO THE TOWN COUNCIL FOR THE TOWN OF LOXAHATCHEE GROVES, OR THE APPROPRIATE AUTHORITY AS DESIGNATED BY THE TOWN COUNCIL; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the requirements of Chapter 2006-328, Laws of Florida, (the "Town Charter") the Town of Loxahatchee Groves (the "Town") on October 10, 2006, the voters within the area of unincorporated Palm Beach County known as Loxahatchee Groves voted to incorporate as the Town of Loxahatchee Groves; and

**WHEREAS**, pursuant to Chapter 166, Florida Statutes, and the Town Charter, the Town has the authority to take action which is not inconsistent with Florida law, and to enact its own Code of Ordinances; and

**WHEREAS**, pursuant to the Town's Charter, the Palm Beach County Code of Ordinances and the Palm Beach County Uniform Land Development Code, as they existed on October 12, 2006, are the applicable Code of Ordinances and Land Development Code which currently govern activity within the Town; and

**WHEREAS**, in order to clarify the Town Council's authority over activity within the Town, and in consistency with Section 10, Paragraph 7(c) of the Town Charter, it is necessary to amend the Code of Ordinances and the Uniform Land Development Code in order to remove any reference to the Palm Beach County Board of County Commissioners, and to remove any reference to any Palm Beach County Board, Committee, or Commission that may have had authority to operate under the Palm Beach County Code of Ordinances and/or Uniform Land Development Code; and

**WHEREAS**, the Town Council finds that the adoption of this Ordinance is in the best interest of the health, safety, and welfare of the citizens and residents of the Town of Loxahatchee Groves.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.

**Section 2.** That the Code of Ordinances and the Uniform Land Development Code for the Town of Loxahatchee Groves shall be amended to delete any references to the "Palm Beach County Board of County Commissioners", "County Commission", or "Board of County Commission", and in place of such references, insert the "Town Council for the Town of Loxahatchee Groves".

**Section 3.** That the Code of Ordinances and the Uniform Land Development Code for the Town of Loxahatchee Groves shall be amended to replace any reference to a "Board", "Committee", or "Commission", and in place of such references, insert the "Town Council for the Town of Loxahatchee Groves".

**Section 4.**     Codification. It is the intention of the Town Council of the Town of Loxahatchee Groves, Florida that the provisions of this Ordinance shall become and be made a part of the Town's Code of Ordinances and the Town's Uniform Land Development Code. The sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article" or other such word or phrase in order to accomplish such intention.

**Section 5.**     Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**Section 6.**     Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 7.**     Effective Date. This Ordinance shall take effect immediately upon passage.

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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 4<sup>th</sup> DAY OF September, 2007.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 4<sup>th</sup> DAY OF September, 2007.

  
DAVID BROWNING, MAYOR

ATTEST:

  
MATTHEW LIPPMAN, INTERIM TOWN CLERK

APPROVED AS TO FORM:

  
OFFICE OF THE TOWN ATTORNEY

DNT:dnt

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