

ORDINANCE 2010-02

AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, FLORIDA AMENDING CHAPTER 2, ADMINISTRATION, SECTION 2-18, SPECIAL MEETINGS, TO REVISE THE PROCEDURES APPLICABLE TO A SPECIAL MEETING OF THE TOWN COMMISSION; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Lauderdale-by-the-Sea recognizes it is in the Town's best interest to amend the general administrative Town Code provisions so as to provide for continued updating, remove obsolete provisions and comply with recent case law, legislative changes and custom and usage within the Town; and

WHEREAS, the Town Commission finds that this Ordinance shall accomplish such purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:

SECTION 1. Recitals. The foregoing "Whereas" clauses are ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

SECTION 2. Amendment. Section 2-18 of Chapter 2 "Administration" is hereby amended ¹ as follows:

* * * *

Sec. 2-18. Special meetings.

The ~~m~~Mayor, any ~~two~~ members of the Town Commission or the Town Manager may call special meetings of the Town Commission upon at least ~~six~~ twenty-four hours' written notice to each member, the Town Manager, Town ~~Auditor and~~ Clerk, Town Attorney and Chief of Police, served personally or left at his or her usual place of residence. Alternatively, special meetings may be called on such shorter notice as any two (2) Commissioners shall deem necessary in case of an emergency affecting life, health, property or the public peace. Immediately upon

¹ Words in ~~strike through~~ type are deletions; words in underlined type are additions.

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33 convening such special meeting, the Town Commission shall consider any such determination of
34 emergency, and may continue the meeting if an emergency is found to exist by at least three (3)
35 Commissioners. Emergency special meetings shall always be scheduled with as much notice as
36 is possible under the circumstances. The regularity or validity of any proceedings taken at any
37 special meeting at which a majority of members of the Town Commission and the Town Clerk
38 are present shall not be questioned because of any omission or irregularity in calling such special
39 meeting.

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42 **SECTION 3. Codification.** This Ordinance shall be codified in accordance with the
43 foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall
44 become and be made a part of the Town of Lauderdale-by-the-Sea Code of Ordinances; and that
45 the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may
46 be changed to "section", "article" or such other appropriate word or phrase in order to
47 accomplish such intentions.

48 **SECTION 4. Severability.** If any section, sentence, clause, or phrase of this Ordinance
49 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
50 shall in no way affect the validity of the remaining portions of this Ordinance.

51 **SECTION 5. Conflicts.** All prior ordinances or resolutions or parts thereof in conflict
52 herewith are hereby repealed to the extent of such conflict.

53 **SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon
54 passage on second reading.

55 Passed on the first reading, this 27 day of April, 2010.

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57 Passed on the second reading, this ____ day of _____, 2010.

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Mayor Roseann Minnet

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| | First Reading | Second Reading |
|-------------------------|---------------|----------------|
| 64 | | |
| 65 Mayor Minnet | <u>Yay</u> | _____ |
| 66 Vice-Mayor Dodd | <u>Yay</u> | _____ |
| 67 Commissioner Clotey | <u>Yay</u> | _____ |
| 68 Commissioner Sasser | <u>Yay</u> | _____ |
| 69 Commissioner Vincent | <u>Yay</u> | _____ |
| 70 | | |

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73 Attest:

74 _____
75 Town Clerk, June White

76 (CORPORATE SEAL)

77 Approved as to form:

78 _____
79 Town Attorney, Susan L. Trevarthen

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