

ORDINANCE NO. 27-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 106, STREETS SIDEWALKS AND OTHER PLACES; AT SECTION 106-18 APPLICATION FEE/PRIVILEGE FEE AT ITEM (a) TO MAKE THE FEE BE IN ACCORDANCE WITH THE FEE SCHEDULE AS ADOPTED BY TOWN COUNCIL RESOLUTION AND AT SECTION 106- 122, ADOPTION OF RESOLUTION, TO DELETE THE NEED FOR FILING A CERTIFIED COPY OF THE RESOLUTION IN THE PUBLIC RECORDS OF THE COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA AS FOLLOWS:

Section 1. Chapter 106, Streets, Sidewalks and other Public Places is hereby

amended at Section 106-118(a) to read as

follows: "Sec. 106-118. – Application

fee/privilege fee.

- (a) All applications for abandonment pursuant to this article shall be accompanied by an application fee ~~of \$1,000.00~~ which shall be in accordance with the fee schedule as adopted by Town Council by Resolution and amended in the same manner. The application fee is to cover the cost of administrative review, site analysis and investigation, attorney's fees, publications and official recording. If the application fee does not cover the cost of these items, additional costs shall be added to any privilege fee imposed. No refund shall be made of any portion of the application fee."

Section 2. Chapter 106, Streets, Sidewalks and other Public Places is further amended at 106-122 to read as follows:

“Sec. 106-122. – Adoption of resolution if the town council adopts a resolution granting the application ~~required by this article~~, notice ~~thereof~~ of the adoption of such resolution shall be published one time, within ~~thirty~~ 30 days following ~~its the date of adoption of the resolution~~, in a newspaper of general circulation published in the town. The proof of publication of the notice of public hearing, the resolution as adopted and a proof of publication of the notice of the adoption of the resolution ~~and a copy of the resolution~~ shall be recorded in the public deed records of the Palm Beach County. ~~Upon adoption of a resolution approving a petition, a certified copy of the same shall be filed in the public records of the county.”~~

Section 3. Severability.

Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 4. Repeal of Ordinances in Conflict.

That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby replaced.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This ordinance shall become effectively immediately upon passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14th day of August, 2019 and for second and final reading on this 10th day of September, 2019.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Bobbie Lindsay, Town Council Member

Kathleen Dominguez, Town Clerk