

TOWN OF LOXAHATCHEE GROVES

ORDINANCE NO. 2014-12

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUBMITTING TO REFERENDUM A NON-BINDING STRAW BALLOT RELATING TO WILLINGNESS OF VOTERS TO PAY ADDITIONAL TAXES, SPECIAL ASSESSMENTS OR OTHER FEES FOR ROADWAY IMPROVEMENTS BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE TO BE PUBLISHED IN ACCORDANCE WITH STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN OF LOXAHATCHEE GROVES, AS A SPECIAL ELECTION WITH THE TOWN'S GENERAL MUNICIPAL ELECTION ON MARCH 10, 2015, AND PLACED ON THE ELECTION BALLOT FOR SAID ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, issues of roadways and improvements thereto are important to the residents of the Town of Loxahatchee Groves, Florida; and,

WHEREAS, the Town Council finds it is in the best interest of the citizens and residents of the Town to propose a ballot question to the electorate of the Town in the nature of a non-binding straw ballot to assist the Town Council in its future decisions relating to roadway improvement policies within the Town, specifically as to payment for such improvements.

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2.

The Ballot Title shall be as follows:

NON-BINDING STRAW BALLOT ON WILLINGNESS TO PAY FOR ROAD RESURFACING WITHIN THE TOWN

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CODING: Words in ~~struck through~~ type are deletion from existing law; words in underlined type are additions

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Section 3. At the special election with the Town’s general municipal election on March 10, 2015, the following question shall be placed on the ballot for consideration by the qualified electors of the Town of Loxahatchee Groves, Florida, and shall read as follows:

This question is a non-binding opinion poll intended to provide feedback to the Town Council. No taxes, assessments or fees are levied as a result of this opinion poll; however, members of the Town Council may rely on this opinion poll in reviewing future policies for funding resurfacing of public roads within the Town. Are you willing to pay additional taxes, special assessments or fees to fund resurfacing of public dirt roads within the Town?

This non-binding ballot question has no financial impact to the Town.

YES NO

Section 4. **Advertisement.** The Town Clerk of the Town of Loxahatchee Groves is hereby authorized and directed to advertise the referendum contemplated herein in accordance with the Code of Ordinances of the Town of Loxahatchee Groves, Florida, as well as the State of Florida Election Code.

Section 5. **Referendum Election.** Pursuant to Section 166.031(1), Florida Statutes, the Town Council of the Town of Loxahatchee Groves hereby calls a special election to be conducted with the Town’s municipal election on March 10, 2015, for the purpose of placing the referendum to a vote of the electors of the Town of Loxahatchee Groves.

Section 6. **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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Section 7. 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 8. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE FIRST READING, THIS 16th DAY OF DECEMBER, 2014.

PASSED ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 6th DAY OF January.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Janet K. Whipple
Janet K. Whipple, Town Clerk

David Browning
Mayor David Browning

Ronald Jarriel
Vice-Mayor Ron Jarriel

Tom Goltzené
Council Member Tom Goltzené

absent
Council Member Ryan Liang

Jim Rockett
Council Member Jim Rockett



APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney