

ORDINANCE NO. 111

AN ORDINANCE OF THE TOWN OF CINCO BAYOU AMENDING CHAPTER 12 1/2 OF THE TOWN'S CODE OF ORDINANCES; DESIGNATING AND ESTABLISHING THE CINCO BAYOU PLANNING COUNCIL AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE MANDATES OF CHAPTER 163, PART II, FLORIDA STATUTES AND CHAPTER 9J-5, FLORIDA ADMINISTRATIVE CODE; SETTING FORTH SAID AGENCY'S ORGANIZATION, RULES AND PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to and in accordance with the provisions of Chapter 163, Part II, Florida Statutes and Town of Cinco Bayou Ordinance No 110.

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL PLANNING AGENCY. The Cinco Bayou Planning Council is hereby designated and established as the local planning agency for the incorporated territory of Cinco Bayou, Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING AGENCY. The Local Planning Agency, in accordance with the provisions of Chapter 163, Part II, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare the comprehensive plan and/or elements or portions thereof for the Town of Cinco Bayou;
- (b) Coordinate said comprehensive plan and/or elements or portions thereof with the comprehensive plans of other appropriate local governments, the county and the State of Florida;
- (c) Recommend said comprehensive plan and/or elements or portions thereof to the Town Council for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the Town Council such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY. The Cinco Bayou Planning Council, as a committee of the Town Council, shall consist of all duly elected members of the Town Council of Cinco Bayou, Florida, and the Mayor of Cinco Bayou, Florida. Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing for financial support and accomplishing its duties as provided in the Town Charter and Code of Ordinances, and as hereinafter provided by ordinance, resolution or motion.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. FUNDING. The Town Council shall appropriate funds at its discretion for the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by Chapter 163, Part II, Florida Statutes, expend all sums so appropriated and any other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources, provided acceptance of loans or grants is approved by the Town Council.

Section 7. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 8. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.
All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

Section 9. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this 17 day of June, 1987.



APPROVED:

Charles R. Logans
Mayor

ATTEST:

Ann B. B. B.
Town Manager/Clerk