

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, DESIGNATING AND ESTABLISHING THE CINCO BAYOU PLANNING COUNCIL AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211, Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPONSIBILITIES; ESTABLISHING 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, provisions of Chapter 163, Florida Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND PLANNING AGENCY. Pursuant to, and in accordance with, Section 163.3174, of Florida Statutes (the Local Government Comprehensive Planning Act of 1975) 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 Local Government Comprehensive Planning Act of 1975, Section 163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare the comprehensive plan or elements or portions thereof for the Town of Cinco Bayou;
- (b) Coordinate said comprehensive plan or elements or portions thereof with the comprehensive plans of other appropriate local governments and the State of Florida;
- (c) Recommend said comprehensive plan 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 of financial support, and accomplishing its duties as provided in the Town Charter and 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. The Town Council shall appropriate funds at its discretion to 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 the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and 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 must be 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. EMERGENCY ORDINANCE. This ordinance shall be enacted as an emergency ordinance without the necessary readings and public notices required by Florida Statute 166.041 (3) (a) because of the July 1, 1976, deadline for designation of local planning agencies established by Florida Statute 163.3167 (8).

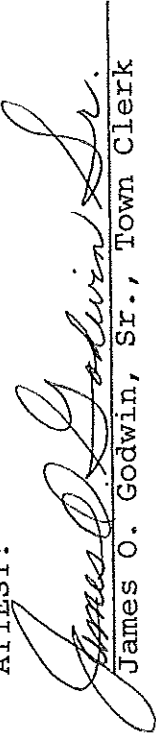
Section 10. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA, BY A TWO-THIRDS MAJORITY, THIS 17th DAY OF JUNE, 1976.



Harold K. Smith, Mayor

ATTEST:

  
James O. Godwin, Sr., Town Clerk