

*Superseded By ORD #46
1-31-90*

ORDINANCE NO. 31

AN ORDINANCE OF THE VILLAGE OF GOLF, FLORIDA,
NULLIFYING WITHIN THE CORPORATE LIMITS OF THE
VILLAGE OF GOLF THE EFFECT OF PALM BEACH COUNTY
"FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS
ORDINANCE" NO. 79-7.

WHEREAS, the "Fair Share Ordinance" provides that its terms shall apply to the unincorporated area of Palm Beach County and to the incorporated areas within Palm Beach County to the extent permitted by Article VIII, Section 1(f) of the 1968 Florida Constitution unless the municipality has passed an Ordinance contrary to the "Fair Share Ordinance;"

WHEREAS, the "Fair Share Contribution for Road Improvements Ordinance" creates a potential burden on the Village of Golf without corresponding public benefit;

WHEREAS, the "Fair Share Contribution for Road Improvements Ordinance" provides that the impact fees collected shall be used for improving the major road network system impacted within a predefined zone in which the development is located;

WHEREAS, the Village of Golf has no plans, commitments or intentions of widening or increasing the flow of traffic on Golf Road which is the only public road bordering the Village of Golf;

NOW, THEREFORE, the Village Council of the Village of Golf, Florida, hereby ordains:

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "Fair Share Contribution Nullification Ordinance."

SECTION 2. LEGISLATIVE FINDING OF FACT. The matters contained in the preamble hereof are hereby declared to be true and correct and constitute a legislative factual determination thereof.

SECTION 3. LEGISLATIVE INTENT AND PURPOSE. It is the purpose and intent of this ordinance to reduce the traffic on Golf Road and to promote health and general welfare of the residents of the Village of Golf.

SECTION 4. NULLIFICATION. It is hereby declared that the Palm Beach County "Fair Share Contribution for Road Improvements Ordinance" adopted June 19, 1979 and effective July 1, 1979, is hereby declared to be null and void and of no effect within the Village of Golf, Florida.

SECTION 5. 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 affect the validity of the remaining portions thereof.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and approval as provided by law.

PASSED BY THE VILLAGE COUNCIL of the VILLAGE OF GOLF, FLORIDA, this 29th day of October, 1979 A.D.

APPROVED AND ADOPTED upon signature of all Council members in accordance with Section 17, Article III of the Village Charter.

APPROVED:

Carlton Blund
Mayor

O. H. Gustaf

B. B. Berendse

John E. Kenstock

George B. Turner

Councilmen

ATTEST:

Leanne Inda
Village Clerk