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ORDINANCE 2016-18

AN EMERGENCY ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO APPROPRIATION OF FUNDS FOR MOSQUITO CONTROL; FINDING THAT AN EMERGENCY EXISTS REGARDING MOSQUITO CONTROL; APPROPRIATING \$75,000 FOR MOSQUITO CONTROL; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn)

WHEREAS, Section 4.4 (5) of the Village Charter permits the Village Council to make appropriations by an emergency ordinance; and

WHEREAS, an emergency exists with respect to mosquito control, specifically *Aedes aegypti* mosquitos, the specific type identified to be carrier of the ZIKA virus, for which an additional appropriation is an appropriate response.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1 The foregoing whereas clauses are incorporated herein.

Section 2 The Village Council hereby finds an emergency currently exists with respect to mosquito control for specifically *Aedes aegypti* mosquitos, the specific type identified to be carrier of the ZIKA virus, for which an additional appropriation is an appropriate response.

Section 3 The Village Council hereby appropriates \$75,000 for actions related to mosquito control and approves, without further action of this Council, the Manager securing such services and contracts required to effectuate such mosquito control that is required to protect the health, safety and well-being of residents and visitors of Palmetto Bay, excluding spraying and fogging.

Section 4. The appropriation is supplemental to the existing County services for control of the *Aedes aegypti* mosquitos, the specific type identified to be carrier of the ZIKA virus, and not to supplant or conflict with County-wide mosquito control.

Section 5. Conflicting Provisions. The provisions of the Code of Ordinances of the Village of Palmetto Bay, Florida and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Severability. The provisions of this Ordinance are declared to be severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

1 **Section 7. Codification.** It is the intention of the Village Council and it is hereby
2 ordained the provisions of this Ordinance shall become and be made part of the Code of
3 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
4 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
5 changed to "Section" or other appropriate word.

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7 **Section 8. Effective Date.** This Ordinance shall take effect immediately upon
8 enactment.

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10 **PASSED and ENACTED** this 15th day of August, 2016.

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14 Attest: 
15 Missy Arocha
16 Village Clerk


Eugene Flinn
Mayor

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18
19 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
20 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

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25 Dexter W. Lehtinen
26 Village Attorney

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32 FINAL VOTE AT ADOPTION:

- 33
34 Council Member Karyn Cunningham YES
35
36 Council Member Tim Schaffer YES
37
38 Council Member Larissa Siegel Lara YES
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40 Vice-Mayor John DuBois YES
41
42 Mayor Eugene Flinn YES