



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<i>*see below</i>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

*\*Fiscal impact is indeterminable at this time.*

*Ahrenswhite 11-21-08*

OFMB

*SN 11/21/08*

*CN 11/21/08*

*11/24/08*

*Contract Development and Control*

*11/24/08*

**B. Legal Sufficiency:**

*Morone R. Attala 11/20/08*  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

**THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.**

G:\WPDATA\ENG\MRE\Agenda\MSTU AIS.doc



1 ~~taxing units shall be known as~~ “Municipal Service Taxing Unit Nos. 1,2,3,4,5, and 6,” respectively,  
2 ~~and may be as~~ alternatively designated as “Municipal Service Taxing Units, A, B, C, D, E, and F,”  
3 established by ordinance are hereby merged into one municipal service taxing unit by this division.  
4 This municipal service taxing unit shall be known as MSTU 1 and may be alternatively designated  
5 as MSTU A respectively. ~~Each~~ The unit shall consist of a specific portion of the county as legally  
6 described in Exhibit “A” attached hereto and incorporated herein for all purposes. ~~Each~~ The  
7 ~~mMunicipal sService tTaxing uUnit 1~~ shall consist ~~initially~~ of the described portion of the  
8 unincorporated area of the county, excepting all municipalities, as said municipalities now existing  
9 and may from time to time be changed in accordance with law. However, in furtherance of the  
10 county’s annexation incentive program with the consent, by ordinance, of a municipality, any  
11 project initiated in unincorporated Palm Beach County through the annexation incentive program  
12 shall be deemed to remain in the unit after annexation until anticipated improvements are complete.  
13 The purpose of ~~each~~ the ~~mMunicipal sService tTaxing uUnit 1~~ shall be to provide within ~~each~~  
14 ~~corresponding~~ the municipal service taxing unit street and road improvements to facilitate the  
15 passage and control of vehicular traffic and pedestrians; street lighting to promote safety and  
16 convenience of travel in, upon, along, and across said streets by vehicular traffic and pedestrians;  
17 other improvements and facilities described in Section 26-23 of this division; and other purposes  
18 incidental hereto (hereinafter collectively referred to as “improvements” unless the text indicates  
19 otherwise), pursuant to this division and in compliance with law.

20 **Section 26-18. GOVERNING BODY OF MUNICIPAL SERVICE TAXING UNITS.**

21 The Board of County Commissioners (hereinafter referred to as “board”), shall be the  
22 governing body of ~~each~~ the municipal service taxing unit (hereinafter referred to as “unit{s}”)  
23 created by this division. All references to the board or unit herein shall be deemed to include both,  
24 as appropriate.

25 **Section 26-19. POWERS.**

26 ~~Each~~ The unit shall have the power to levy ad valorem taxes; contract; borrow and expend  
27 funds; issue bonds, certificates of indebtedness, revenue certificates, and other obligations of  
28 indebtedness; and exercise other powers as granted by law. ~~Each~~ The unit is authorized to enter  
29 into contracts with municipalities, counties, and other taxing units of government for the purpose of  
30 providing the unit with any or all of the services the unit is established to provide.

1 **Section 26-20. FUNDING.**

2 ~~Each~~ The unit created hereunder shall be funded through the levy of an ad valorem tax  
3 which, together with all other ad valorem taxes levied for municipal services within the unit, shall  
4 not exceed ten (10) mills against the assessed value of all lawfully taxable property situated within  
5 the boundaries of each respective unit, including but not limited to service charges, if any, special  
6 assessments, and any other income or sources of funds attributable to ~~each respective~~ the unit.  
7 Funds lawfully available from any source may be utilized to pay for the improvements made  
8 pursuant to this division.

9 These improvements shall be subject to special assessments pursuant to the provisions of  
10 this division. However, special assessments levied upon specially benefited property within ~~any of~~  
11 the units established by this division shall not be made for the payment of regular electric utility  
12 service charges for electric current supplied to lighting improvements or other improvements  
13 hereunder within ~~each~~ the unit, unless capable of being calculated for special assessment purposes.

14 **Section 26-21. BUDGET ADOPTION.**

15 Each year, the units shall adopt an annual budget in accordance with Chapter 129, Florida  
16 Statutes. The board thereafter may cause such millage to be levied against all lawfully taxable  
17 property within ~~each~~ the unit as is sufficient to raise the budget. All funds so raised shall be used  
18 solely for the expenses of the unit. Proper accounts and records shall be kept at all times.

19 **Section 26-22. TRUST FUNDS.**

20 a) ~~There are hereby established~~ six (6) trust funds ~~established~~, one (1) for each unit for  
21 the purposes of this division are hereby merged into one (1) trust fund. This fund  
22 shall be known as the MSTU trust fund for MSTU 1. Except as otherwise  
23 provided in Section 26-30.13 of this division, all special assessments and service  
24 charges collected pursuant to this division for improvements hereunder shall be  
25 deposited into the ~~applicable~~ trust fund. The board may levy ad valorem taxes in  
26 ~~each~~ the unit to the full extent permitted by law. These tax proceeds shall be  
27 deposited into the ~~applicable~~ trust fund. The funds on deposit in ~~each~~ the trust fund  
28 shall be used for no other purpose than as provided under the provisions of this  
29 division.

30 b) Within ~~each~~ the trust fund there shall be established two (2) separate component  
31 trust funds: one for funds attributable to street lighting improvements, if any; and

1 one for funds attributable to road improvements described in Section 26-23 within  
2 ~~each~~ the unit. No component trust funds for street lighting improvements and  
3 facilities need be established until budget line items for such improvements are  
4 established by the board for the applicable unit.

5 **Section 26-23. IMPROVEMENTS.**

6 a) Road improvements as provided in this division include but are not limited  
7 to such improvements as pavement, grassing, landscaping, storm drainage  
8 facilities, traffic-control devices, driveways, earthwork, and all engineering  
9 and administrative expenses in connection with the project. The term  
10 "landscaping" includes the installation and maintenance thereof pursuant to  
11 the county's Landscaping Ordinance [appendix F, §500.35].

12 b) Street lighting improvements as provided in this division include, but are  
13 not limited to, such improvements as poles, wires, lines, cables, lamps,  
14 meter boxes; all other components of a street lighting system; and all  
15 engineering and administrative expenses in connection with the design,  
16 implementation, construction, as well as maintenance expenses thereof,  
17 including electric utility company charges for the supply of electric power to  
18 the improvements.

19 ~~e) Projects under this division may cover areas embraced by one (1) or more~~  
20 ~~units. In such event, funds attributable to a particular unit may be utilized~~  
21 ~~for that portion of the project situated within or applicable to the respective~~  
22 ~~unit.~~

23 ~~ed)~~ The board may, by resolution, establish guidelines applicable to the board's  
24 determination of whether to proceed with any project for which a petition is  
25 submitted.

26 ~~ed)~~ In neighborhoods of special environmental concern subject to problems that  
27 are capable of remediation by providing facilities for water and/or sewer  
28 service or drainage, the board may provide any or all such improvements  
29 under the terms of this division. In such circumstances, the provision of  
30 such services and improvements shall be subject to all pertinent provisions  
31 of this division and shall be treated in the same manner as road

1                    improvements, street lighting and landscaping improvements for special  
2                    assessment percentage purposes and other purposes. The term "drainage"  
3                    as used herein includes clearing and dredging of canals and other drainage  
4                    facilities not under the jurisdiction of other governmental entities.

5                    f)e) In areas of special concern along thoroughfares, the board may provide for  
6                    walls under the terms of this division. Improvements of this type include  
7                    but are not limited to all components of walls, and all administrative and  
8                    engineering expenses in connection with design, implementation and  
9                    construction, as well as advising property owners and/or property owners  
10                    associations of all requirements, including but not limited to acquisition of  
11                    easements by property owners associations and maintenances  
12                    responsibilities.

13                    **Section 26-24. SPECIAL ASSESSMENTS.**

14                    The board may provide for payment of ~~a part or all~~ of the costs of any improvement under  
15                    Section 26-23(a), (b), (c), (e) or (f) of this division by levying and collecting special assessments on  
16                    the abutting, adjoining, contiguous, or other property specially benefited by the improvements  
17                    provided herein. ~~In any case, t~~The percentage of the cost of ~~road~~ improvements, ~~other than~~  
18                    ~~landscaping~~, under Section 26-23(a) of this division to be paid by special assessment, shall ~~not~~  
19                    ~~exceed fifty (50)~~ be 100 percent of the total cost of the improvements, except as provided in  
20                    Section 26-30.13 of this division.

21                    **Section 26-29. PERCENTAGE OF COST, FURTHER PROCEDURES.**

22                    Upon completion of the preliminary cost estimate and compliance with the requirements of  
23                    Section 26-28 of this division, the improvements shall be brought to the board for a public hearing.  
24                    No action is required by the board prior to the public hearing if the method of assessment is  
25                    proposed to be the front footage method. ~~Additionally, no action shall be required prior to the~~  
26                    ~~public hearing if~~ ~~t~~The proposed percentage of costs for a road improvement, ~~other than~~  
27                    ~~landscaping, is to be fifty (50) percent of the total costs, and one hundred (100) percent for barrier~~  
28                    ~~walls, and one hundred (100) percent for street lighting improvements, and one hundred (100)~~  
29                    ~~percent for barrier walls, and one hundred (100) percent for water and/or sewer~~ is one hundred  
30                    (100) percent. If the proposed method of assessment is other than front footage, ~~or the proposed~~  
31                    ~~percentage differs from the percentage stated above,~~ then prior to the public hearing the board shall

1 determine the method of assessment to be utilized ~~and the percentage of cost~~ for the improvement  
2 to be repaid to the ~~applicable~~ trust fund by the property owners through special assessments upon  
3 the specially benefitted property. However, the board at any time, in its sole discretion, may reject  
4 the petition or project for any further consideration.

5  
6 **2. SAVINGS CLAUSE.**

7 ~~Notwithstanding the provisions of this division herein repealing Ordinance No. 91-41 and~~  
8 ~~Ordinance No. 93-26, this division shall not affect or impair the processing and implementation of~~  
9 ~~any improvement project commenced under the provisions of Ordinance No. 82-17, 84-5, 86-16,~~  
10 ~~87-10, 91-41 or 93-26. All projects initiated under the divisions referenced above shall be deemed~~  
11 ~~valid and in full force and effect.~~ Notwithstanding the provisions of this division herein amending  
12 Ordinance No. 94-11 this division shall not affect or impair the processing and implementation of  
13 any improvement project commenced prior to adoption of this Ordinance. Further, any money  
14 available for use in the units merged ~~created and funded~~ under the above-referenced divisions shall  
15 be available for use in and transferred to the ~~corresponding~~ units and trust funds or created  
16 hereunder.

17  
18 **3. PROVIDING FOR REPEAL OF LAWS IN CONFLICT.**

19 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby  
20 repealed to the extent of such conflict.

21 **4. SEVERABILITY.**

22 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any  
23 reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such  
24 holding shall not affect the remainder of this Ordinance.

25 **5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

26 The provisions of this Ordinance shall become and be made a part of the Palm Beach  
27 County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such,  
28 and the word "ordinance" may be changed to "section," "article," or other appropriate word.

29 **6. CAPTIONS.**

30 The captions, section headings, and section designations used in this Ordinance are for  
31 convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.



1 **7. EFFECTIVE DATE.**

2 The provisions of this Ordinance shall become effective upon filing with the Department of  
3 State.

4 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach  
5 County, Florida, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

6 **SHARON R. BOCK, CLERK**

**PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

7  
8  
9  
10 By: \_\_\_\_\_  
11 **Deputy Clerk**

By: \_\_\_\_\_  
**\*\*\*, Chair\*\*\***

12  
13 **APPROVED AS TO FORM AND  
14 LEGAL SUFFICIENCY**

15  
16  
17 By: \_\_\_\_\_  
18 **County Attorney**

19  
20

21 **EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_ day of  
22 \_\_\_\_\_, 20\_\_\_\_.

23

24 **G:\WPDATA\ENG\MRE\Agenda\MSTU Ordinance 5th Draft.doc**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**ORDINANCE NO. 20** \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE CHAPTER 26, ARTICLE II, KNOWN AS THE MUNICIPAL SERVICE TAXING UNIT (MSTU) SPECIAL ASSESSMENT ORDINANCE (ORDINANCE 94-11 AS AMENDED); AMENDING SECTION 26-17, CREATION AND PURPOSE; AMENDING SECTION 26-18, GOVERNING BODY OF MUNICIPAL SERVICE TAXING UNITS; AMENDING SECTION 26-19, POWERS; AMENDING SECTION 26-20, FUNDING; AMENDING SECTION 26-21, BUDGET ADOPTION; AMENDING SECTION 26-22, TRUST FUNDS; AMENDING SECTION 26-23, IMPROVEMENTS; AMENDING SECTION 26-24, SPECIAL ASSESSMENTS; AMENDING SECTION 26-29, PERCENTAGE OF COSTS, FURTHER PROCEDURES; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; PROVIDING FOR EFFECTIVE DATE.

**WHEREAS**, pursuant to Florida Statutes, Section 125.01(1)(q), and (r), the Board of County Commissioners of Palm Beach County, Florida, is granted the power to establish, merge and abolish municipal service taxing units and is authorized to levy special assessments within such units; and

**WHEREAS**, The Board of County Commissioners of Palm Beach County, Florida has determined that it is in the best interest of the public to amend the Municipal Service Taxing Unit Special Assessment Ordinance to merge the original six (6) units into a single unit and to allow for assessments and collections of 100% of the cost of road improvements; and

**WHEREAS**, Palm Beach County, Florida is a charter County and has all the powers of local self government.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1. The following Sections of the MSTU Ordinance as codified in the Palm Beach County Code Chapter 26, Article II, Division 1, are hereby amended as follows:

**Section 26-17. CREATION AND PURPOSE.**

Pursuant to the authority granted in Section 125.01(1)(q), and (r), Florida Statutes, or, "Municipal Service Taxing Unit Nos. 1,2,3,4,5, and 6," respectively, and as alternatively designated as "Municipal Service Taxing Units, A, B, C, D, E, and F," established by ordinance are hereby

1 merged into one municipal service taxing unit by this division. This municipal service taxing unit  
2 shall be known as MSTU 1 and may be alternatively designated as MSTU A. The unit shall consist  
3 of a specific portion of the county as legally described in Exhibit "A" attached hereto and  
4 incorporated herein for all purposes. The Municipal Service Taxing Unit 1 shall consist of the  
5 described portion of the unincorporated area of the county, excepting all municipalities, as said  
6 municipalities now existing and may from time to time be changed in accordance with law.  
7 However, in furtherance of the county's annexation incentive program with the consent, by  
8 ordinance, of a municipality, any project initiated in unincorporated Palm Beach County through the  
9 annexation incentive program shall be deemed to remain in the unit after annexation until anticipated  
10 improvements are complete. The purpose of the Municipal Service Taxing Unit 1 shall be to  
11 provide within the municipal service taxing unit street and road improvements to facilitate the  
12 passage and control of vehicular traffic and pedestrians; street lighting to promote safety and  
13 convenience of travel in, upon, along, and across said streets by vehicular traffic and pedestrians;  
14 other improvements and facilities described in Section 26-23 of this division; and other purposes  
15 incidental hereto (hereinafter collectively referred to as "improvements" unless the text indicates  
16 otherwise), pursuant to this division and in compliance with law.

17 **Section 26-18. GOVERNING BODY OF MUNICIPAL SERVICE TAXING UNIT.**

18 The Board of County Commissioners (hereinafter referred to as "board"), shall be the  
19 governing body of the municipal service taxing unit (hereinafter referred to as "unit") created by this  
20 division. All references to the board or unit herein shall be deemed to include both, as appropriate.

21 **Section 26-19. POWERS.**

22 The unit shall have the power to levy ad valorem taxes; contract; borrow and expend funds;  
23 issue bonds, certificates of indebtedness, revenue certificates, and other obligations of indebtedness;  
24 and exercise other powers as granted by law. The unit is authorized to enter into contracts with  
25 municipalities, counties, and other taxing units of government for the purpose of providing the unit  
26 with any or all of the services the unit is established to provide.

27 **Section 26-20. FUNDING.**

28 The unit created hereunder shall be funded through the levy of an ad valorem tax which,  
29 together with all other ad valorem taxes levied for municipal services within the unit, shall not  
30 exceed ten (10) mills against the assessed value of all lawfully taxable property situated within the  
31 boundaries of each respective unit, including but not limited to service charges, if any, special

1 assessments, and any other income or sources of funds attributable to the unit. Funds lawfully  
2 available from any source may be utilized to pay for the improvements made pursuant to this  
3 division.

4 These improvements shall be subject to special assessments pursuant to the provisions of this  
5 division. However, special assessments levied upon specially benefited property within the units  
6 established by this division shall not be made for the payment of regular electric utility service  
7 charges for electric current supplied to lighting improvements or other improvements hereunder  
8 within the unit, unless capable of being calculated for special assessment purposes.

9 **Section 26-21. BUDGET ADOPTION.**

10 Each year, the unit shall adopt an annual budget in accordance with Chapter 129, Florida  
11 Statutes. The board thereafter may cause such millage to be levied against all lawfully taxable  
12 property within the unit as is sufficient to raise the budget. All funds so raised shall be used solely  
13 for the expenses of the unit. Proper accounts and records shall be kept at all times.

14 **Section 26-22. TRUST FUND.**

15 a) The six (6) trust funds established, one (1) for each unit for the purposes of this  
16 division are hereby merged into one (1) trust fund. This fund shall be known as the  
17 MSTU trust fund for MSTU 1. Except as otherwise provided in Section 26-30.13  
18 of this division, all special assessments and service charges collected pursuant to  
19 this division for improvements hereunder shall be deposited into the trust fund. The  
20 board may levy ad valorem taxes in the unit to the full extent permitted by law.  
21 These tax proceeds shall be deposited into the trust fund. The funds on deposit in  
22 the trust fund shall be used for no other purpose than as provided under the  
23 provisions of this division.

24 b) Within the trust fund there shall be established two (2) separate component trust  
25 funds: one for funds attributable to street lighting improvements, if any; and one for  
26 funds attributable to road improvements described in Section 26-23 within the unit.  
27 No component trust funds for street lighting improvements and facilities need be  
28 established until budget line items for such improvements are established by the  
29 board for the unit.

1 **Section 26-23. IMPROVEMENTS.**

- 2 a) Road improvements as provided in this division include but are not limited to  
3 such improvements as pavement, grassing, landscaping, storm drainage  
4 facilities, traffic-control devices, driveways, earthwork, and all engineering  
5 and administrative expenses in connection with the project. The term  
6 "landscaping" includes the installation and maintenance thereof pursuant to  
7 the county's Landscaping Ordinance [appendix F, §500.35].
- 8 b) Street lighting improvements as provided in this division include, but are not  
9 limited to, such improvements as poles, wires, lines, cables, lamps, meter  
10 boxes; all other components of a street lighting system; and all engineering  
11 and administrative expenses in connection with the design, implementation,  
12 construction, as well as maintenance expenses thereof, including electric  
13 utility company charges for the supply of electric power to the  
14 improvements.
- 15 c) The board may, by resolution, establish guidelines applicable to the board's  
16 determination of whether to proceed with any project for which a petition is  
17 submitted.
- 18 d) In neighborhoods of special environmental concern subject to problems that  
19 are capable of remediation by providing facilities for water and/or sewer  
20 service or drainage, the board may provide any or all such improvements  
21 under the terms of this division. In such circumstances, the provision of  
22 such services and improvements shall be subject to all pertinent provisions of  
23 this division and shall be treated in the same manner as road improvements,  
24 street lighting and landscaping improvements for special assessment  
25 percentage purposes and other purposes. The term "drainage" as used  
26 herein includes clearing and dredging of canals and other drainage facilities  
27 not under the jurisdiction of other governmental entities.
- 28 e) In areas of special concern along thoroughfares, the board may provide for  
29 walls under the terms of this division. Improvements of this type include but  
30 are not limited to all components of walls, and all administrative and  
31 engineering expenses in connection with design, implementation and

1 construction, as well as advising property owners and/or property owners  
2 associations of all requirements, including but not limited to acquisition of  
3 easements by property owners associations and maintenances  
4 responsibilities.

5 **Section 26-24. SPECIAL ASSESSMENTS.**

6 The board may provide for payment of the costs of any improvement under Section 26-  
7 23(a), (b), (c), (e) or (f) of this division by levying and collecting special assessments on the  
8 abutting, adjoining, contiguous, or other property specially benefited by the improvements provided  
9 herein. The percentage of the cost of improvements, under Section 26-23 of this division to be paid  
10 by special assessment, shall be 100 percent of the total cost of the improvements, except as provided  
11 in Section 26-30.13 of this division.

12 **Section 26-29. PERCENTAGE OF COST, FURTHER PROCEDURES.**

13 Upon completion of the preliminary cost estimate and compliance with the requirements of  
14 Section 26-28 of this division, the improvements shall be brought to the board for a public hearing.  
15 No action is required by the board prior to the public hearing if the method of assessment is  
16 proposed to be the front footage method. The proposed percentage of costs for a road  
17 improvement, street lighting improvements, barrier walls, water and/or sewer is one hundred (100)  
18 percent. If the proposed method of assessment is other than front footage, then prior to the public  
19 hearing the board shall determine the method of assessment to be utilized for the improvement to be  
20 repaid to the trust fund by the property owners through special assessments upon the specially  
21 benefitted property. However, the board at any time, in its sole discretion, may reject the petition or  
22 project for any further consideration.

23  
24 **2. SAVINGS CLAUSE.**

25 Notwithstanding the provisions of this division herein amending Ordinance No. 94-11 this  
26 division shall not affect or impair the processing and implementation of any improvement project  
27 commenced prior to adoption of this Ordinance. Further, any money available for use in the units  
28 merged under the above-referenced divisions shall be available for use in and transferred to the unit  
29 and trust funds or created hereunder.

30

1 **3. PROVIDING FOR REPEAL OF LAWS IN CONFLICT.**

2 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby  
3 repealed to the extent of such conflict.

4 **4. SEVERABILITY.**

5 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any  
6 reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such  
7 holding shall not affect the remainder of this Ordinance.

8 **5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

9 The provisions of this Ordinance shall become and be made a part of the Palm Beach County  
10 Code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the  
11 word ordinance may be changed to section, article, or other appropriate word.

12 **6. CAPTIONS.**

13 The captions, section headings, and section designations used in this Ordinance are for  
14 convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

15 **7. EFFECTIVE DATE.**

16 The provisions of this Ordinance shall become effective upon filing with the Department of  
17 State.

18 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach  
19 County, Florida, on this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

20 **SHARON R. BOCK, CLERK**  
21 **ITS**

**PALM BEACH COUNTY, FLORIDA, BY**  
**BOARD OF COUNTY COMMISSIONERS**

22  
23  
24  
25 **By:** \_\_\_\_\_  
26 **Deputy Clerk**

**By:** \_\_\_\_\_  
**\*\*\*, Chair\*\*\***

27  
28 **APPROVED AS TO FORM AND**  
29 **LEGAL SUFFICIENCY**

30  
31  
32 **By:** \_\_\_\_\_  
33 **County Attorney**  
34

35  
36 **EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_ day of  
37 \_\_\_\_\_, 20 \_\_\_\_.