

ORDINANCE NO. 617

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE II, "OFFICERS AND EMPLOYEES", DIVISION 3, "TOWN CLERK" TO CLARIFY THE REQUIREMENTS OF THE TOWN CLERK; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the "Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to clarify the requirements of the Town Clerk as some of the requirements are outdated and others need further clarification; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 2 "Administration", Article II "Officers and Employees", Division 3, "Town Clerk", is hereby amended as follows:

DIVISION 3. - TOWN CLERK

Sec. 2-66. - General duties.

It shall be the duty of the town clerk, or in his/her absence the deputy town clerk, to attend each meeting of the town commission and keep the minutes thereof. The clerk shall also attend to the posting and publishing of all ordinances which should be posted and published, and properly authenticate all ordinances, resolutions and minutes. The clerk shall keep the corporate seal of the town and affix the seal when lawfully directed to do so, and shall perform such other duties as may be required by the town commission.

Sec. 2-67. - Clerk to serve as treasurer.

The town clerk, in addition to the duties as clerk, shall do and perform the duties of treasurer of the town.

Sec. 2-68. - Bond.

The town clerk, as town treasurer, shall make, execute and deliver to the town commission such bond, if required by the town commission, in such sum as the town commission may determine by resolution, conditioned that the clerk and treasurer of the town will faithfully perform the duties as such official and account for all money as clerk and treasurer of the town. Such bond shall be signed by a reliable surety company qualified to do business in the state, acceptable to the town commission.

Sec. 2-69. - Duties as treasurer.

- (a) In exercising the functions of town treasurer, it shall be the duty of the town clerk to:
- (1) Receive, account for and pay over all money to which the town may be entitled from any source;
 - (2) Pay out money only upon receipt or invoice;
 - (3) Keep separate funds;
 - (4) Deposit all money of the town in a qualified public depository in the state selected by resolution of the town commission as a town depository;
 - (5) Make no deposit of the town's funds unless the funds shall be secured in accordance with law and in a manner satisfactory to the town commission; and
 - (6) Perform such other duties consistent with his position as may be imposed upon him by the town commission.
- (b) The town clerk, as town treasurer, shall not pay out any funds of the town, at any time or under any conditions, except by check or voucher signed by the town clerk as town treasurer and countersigned by a member of the town commission. However, this requirement shall not apply to payments made by automatic debit or other similar methods, where the initial debit/recurring payment was approved by the commission by the execution of an agreement or through the adoption of the annual budget.

Sec. 2-70. - Maintenance of records.

- (a) The town clerk shall keep the following records:
- (1) A book in which shall be recorded the minutes of all the transactions of the town commission; and
 - (2) A book of rules and ordinances.
- (b) The town clerk shall keep exact and literal copies of all communications ordered by the town commission to be sent by him/her, and he/she shall make certified copies of all records of the town upon request.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 6th day of February, 2017.

SECOND AND FINAL READING this 6th day of March, 2017.

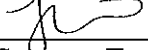
Commissioner Bonfiglio offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner Coz and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Aye</u>
JAMES BONFIGLIO, Vice-Mayor	<u>Aye</u>
GAIL ADAMS AASKOV, Commissioner	<u>Aye</u>
STEVE COZ, Commissioner	<u>Aye</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 6th day of March, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

BY: 
Geoffrey A. Pugh, Mayor

ATTEST: 
Tracey L. Stevens, Town Clerk