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**ORDINANCE NO. 2015-03**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 3 SPECIAL ASSESSMENT OF THE CODE OF ORDINANCES TO CREATE A NEW SECTION 3-9 TITLED "PREPAYMENT OF SPECIAL ASSESSMENTS" TO PROVIDE THAT THE VILLAGE COUNCIL MAY, IN ITS DISCRETION, BY ENABLING RESOLUTION(S), PROVIDE FOR RESTRICTIONS OR LIMITATIONS ON, INCLUDING A PROHIBITION OF, THE PREPAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE VILLAGE; PROVIDING AUTHORITY TO CODIFY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA:

**SECTION 1:** Chapter 3 SPECIAL ASSESSMENT of the Code of Ordinances of the Village of Wellington is hereby amended by creating a new Section 3-9 which shall read as follows:

**SECTION 3-9. Prepayment of Special Assessments.**

Notwithstanding the provisions of Section 170.09, Florida Statutes, Section 3-7(b) of this Chapter or any other provision of law pertaining to the prepayment of special assessments, the Village Council may, in its discretion, by enabling resolution(s), provide for restrictions or limitations on, including a prohibition of, the prepayment of special assessments levied by the Village.

**SECTION 2.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 4:** This Ordinance shall become effective immediately upon adoption of the Wellington Council following second reading.

**PASSED** this 27<sup>th</sup> day of January, 2015 upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of February, 2015, on second and final

1 reading.

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3 **WELLINGTON**

**FOR**

**AGAINST**

4  
5 BY: \_\_\_\_\_  
6 Bob Margolis, Mayor

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9 \_\_\_\_\_  
John Greene, Vice Mayor

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Matt Willhite, Councilman

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13 \_\_\_\_\_  
Anne Gerwig, Councilwoman

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John T. McGovern, Councilman

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21 **ATTEST:**

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24 BY: \_\_\_\_\_  
25 Awilda Rodriguez, Clerk

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

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32 BY: \_\_\_\_\_  
33 Laurie Cohen, Village Attorney