

RESOLUTION 21-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA FOR CONSIDERATION AND APPOINTMENT OF AT LEAST THREE (3) SPECIAL MAGISTRATES FOR THE TERM OF ONE (1) YEAR UPON RECOMMENDATION AND ADVICE OF THE CITY ATTORNEY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port St. Lucie, Florida (the “City”) Code of Ordinances Chapter 37, pursuant to Chapter 162, Florida Statutes, adopted a code enforcement system that utilizes Special Magistrate who shall have all the powers and authority of a Code Enforcement Board per Article I, Sec. 37.01, City’s Code of Ordinances; and

WHEREAS, the City Code of Ordinances, Chapter 37, Article II, Sec. 37.04(a), the City Council shall appoint, by resolution, at least three (3) Special Magistrates per year; and

WHEREAS, the City Code of Ordinances, Chapter 37, Article II, Sec. 37.04(d) established that each Special Magistrate shall serve a term of one year, may be appointed for consecutive one-year terms, and are subject to removal with or without cause, from their positions at any time by the City Council in its sole discretion,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals: The City Council of the City of Port St. Lucie, Florida hereby adopts and ratifies those matters set forth in the foregoing recitals.

Section 2. Appointment of Special Magistrates: The City Council hereby approves the contracts in substantially the form attached hereto as Exhibit “A” for the appointment of the Special Magistrates pursuant to Article II, Sec. 37.04 (a) and (d), City’s Code of Ordinances for a term of one (1) year.

Section 3. Execution of Documents: The City Manager or his designee is hereby authorized to execute all documents related to the appointment of a Special Magistrate per Article II, Sec. 37.04 (a) and (d) for a term of one (1) year and to take all actions necessary and proper to accomplish the aims of this Resolution.

Section 4. Conflicting Provisions: If any Resolution, or parts of any Resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions. This Resolution effectively repeals Resolution 20-R47.

Section 5. Severability: The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is held to be illegal, invalid, or

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unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney