

ORDINANCE NO. 2009 – 05

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ORDINANCE NOS. 2007-03 & 2008-03, WHICH ESTABLISH STANDARDS OF CONDUCT, REGULATIONS, AND PROCEDURES RELATING TO TOWN VOLUNTEERS; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 7th, 2006, pursuant to Ordinance No. 2007-03, the Town adopted official standards of conduct, regulations, and procedures relating to Town volunteers; and

WHEREAS, to avoid potential conflicts, or other improprieties, the Ordinance establishes a "Volunteer Standard of Conduct," and related forms, which volunteers sign before donating their time and services to the Town; and

WHEREAS, on January 10th 2008, pursuant to Ordinance No. 2008-03, the Town amended Ordinance No. 2007-03 by including a provision to prevent volunteers serving on boards or committees from responding to procurements relating to that board or committee; and

WHEREAS, since all of the procurements are sealed bids, the Town Council believes that this provision may improperly penalize a Town volunteer and that it may limit the number of qualified respondents; and

WHEREAS, the Town Council believes that it is in the best interest of the health, safety and welfare of its residents to eliminate this provision in its entirety.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: Recitals Adopted. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance.

Section 2: Code Amendment. Section A. (4) of Ordinance Nos. 2007-03 & 2008-03 of the Town of Southwest Ranches shall be amended as follows:

...

A. Town Volunteer

...

~~4. No Town Volunteer serving on any Town Advisory Board or Committee, including but not limited to a corporation or employer to which that Town Volunteer may be affiliated with or employed, shall respond formally or informally to any procurement issued by the Town for goods or services, which may relate directly or indirectly to the subject matter of the Advisory Board or Committee for which that individual has become a Town Volunteer.~~

...

Section 3. Inclusion. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code of Ordinances and the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 6: Effective Date. This Ordinance shall be effective immediately upon its adoption.

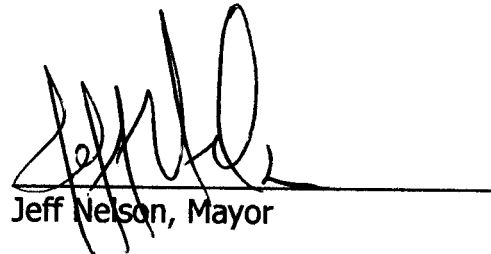
[Signatures on Following Page]

PASSED ON FIRST READING this 11th day of December 2008 on a motion made by Vice Mayor Steve Breitreuz and seconded by Council Member Aster Knight.

PASSED AND ADOPTED ON SECOND READING this 8th day of January 2009, on a motion made by Council Member Doug McKay and seconded by Council Member Aster Knight.

Nelson	<u>Y</u>
Breitreuz	<u>Y</u>
Fisikelli	<u>Y</u>
Knight	<u>Y</u>
McKay	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>




Jeff Nelson, Mayor

Attest:



Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney

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