

ORDINANCE 06-30

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, ESTABLISHING CHAPTER 159, POST DISASTER REDEVELOPMENT PLAN; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RECOVERY COORDINATION; PROVIDING FOR ESSENTIAL SERVICE AND FACILITY RESTORATION PRIORITIES; PROVIDING FOR AUTHORITY DELEGATION; PROVIDING FOR STRATEGIES; PROVIDING FOR DETERMINATION OF DAMAGE; PROVIDING FOR MORATORIA; PROVIDING FOR EMERGENCY REPAIRS AND PERMITTING; PROVIDING FOR ECONOMIC REDEVELOPMENT POLICIES; PROVIDING FOR GUIDELINES; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key is a coastal barrier island; and

WHEREAS, as a coastal barrier island the Town is subject to potential major or catastrophic storm events; and

WHEREAS, the Town wishes to prepare, to the greatest extent possible, in the event of a natural catastrophe; and

WHEREAS, to that end the Town Manager has prepared a Hurricane Plan, which is updated and amended by resolution; and

WHEREAS, the Hurricane Plan addresses issues of immediate impact to the Town both before and after the disaster; and

WHEREAS, the Town Commission has determined that a post disaster redevelopment plan would be in the best interests of the Town; and

WHEREAS, a post disaster redevelopment plan would frame operating policies and procedures after the disaster until the Town was again able to function.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

Section 1. The above whereas clauses are true and correct and are hereby ratified and confirmed.

Section 2. The Town hereby creates Chapter 159 of the Code of the Town of Longboat Key and it is entitled “**Post Disaster Redevelopment Plan**”.

Section 3. **159.01. Intent and Purpose.**

(A) It is the intent of the Town to make every effort to develop its capacity to identify and coordinate various post-disaster recovery and reconstruction resources while at the same time ensuring maximum local control over the recovery and reconstruction process.

(B) Following a major or catastrophic disaster, sufficient time must be provided to conduct damage assessments, classify and categorize individual structure damage, and evaluate the effectiveness and enforcement of its regulations including, but not limited to the Florida Building Code for existing structures. It is further the intent of the Town to allow rebuilding and reconstruction in an orderly manner by controlling the issuance of building permits, development orders and site plans in order to manage the location, timing, and sequence of reconstruction and repair.

(C) The purpose of this Chapter, however, is not to provide a specific guideline or set forth the specific requirements as to whether, to what extent, where, or how a private structure may be rebuilt. Those determinations will be made in conformance with the applicable portions of the Town’s Comprehensive Plan, Zoning Code, Flood Code, Building Code as well as other provisions of state and local law. Rather, the purpose of this Chapter is to provide: an effective and coordinated method for the determination of the extent of damage which occurred within the Town as a result of the disaster; a framework for addressing the restoration of essential services within the Town; and protection of the health, safety and welfare of the citizens and property owners of the Town while these purposes are being accomplished.

Section 4. **159.02. Definitions.** The following terms and definitions apply for the purposes of this Chapter:

BUILDING OFFICIAL: means the head of building services who is hereby designated by the Town Manager to implement, administer and enforce the building permit moratorium provision of this Chapter.

BUILDING VALUE: is 120% of the latest assessment of all improvements on a parcel of land as recorded in the County Property Appraiser's records immediately before the structure was damaged.

CATASTROPHIC DISASTER: is defined as an event that overwhelms local response capabilities and will require mutual aid, state response, federal disaster relief programs, and activation of the state and federal response plans.

CURRENT REGULATORY STANDARDS FOR NEW CONSTRUCTION: includes consideration of the following: density, floodplain management, building code, land use, land development code and comprehensive plan requirements and site location.

DAMAGE ASSESSMENT: means a systematic procedure for evaluating damage to public and private property, based on current replacement cost. The assessment may be used to determine if the damaged area can qualify for federal or state disaster assistance.

DAMAGE ASSESSMENT TEAM: means a local group of qualified individuals charged with providing an initial assessment of damage to private and public properties in the aftermath of a significant natural or man-made event.

DEBRIS: misplaced, broken, or discarded building/construction materials, garbage, vegetative matter, spoiled or ruined household goods or materials, dead fish, or marine flotsam and jetsam.

DESTROYED STRUCTURE: means a structure that is a total loss or damaged to such an extent that repairs are not technically or economically feasible. An indicator for this category is if the cost to repair equals or exceeds 50 percent of the building value at the time of damage or destruction.

DEVELOPMENT ORDER: means any order, permit, determination, or action granting with conditions an application for any final development order, building permit, temporary use permit, temporary construction and development permit, electrical permit, plumbing permit, daylight plane waiver, boat-dock permit, septic tank permit, right-of-way permit, construction approval for infrastructure (including water, sewer, grading, paving), zoning ordinance amendment, comprehensive plan amendment, flood variance, coastal construction control line variance, tree removal permits, site

development plan approval, subdivision approval (including plats, plans, variances and amendments), rezoning, OPD amendment, zoning certification, special exception, variance, or any other official action of the Town having the effect of permitting development as defined in the land development code.

MAJOR DAMAGED STRUCTURE: means a structure that can be made habitable with extensive repairs. Damage may include foundation, roof structure, and major structural components. The indicator for this category is if the cost to repair is greater than 20 percent and up to 50 percent of the building value at the time of damage.

MAJOR DISASTER: is defined as an event that may require mutual aid, state response assistance and federal disaster relief programs.

MINOR DAMAGED STRUCTURE: means a structure that can be made habitable in a short period of time with minimal repairs. Damages may include doors, windows, floors, roofs, central air conditioners, and other minor structural damage. The indicator for this category is if the cost to repair is 20 percent or less than the building value at the time of damage.

MINOR DISASTER: means a structure that is likely to be within the response capabilities of local government and to result in only a minimal need for state or federal assistance.

PRIVATE PROPERTY: All property that is not owned or controlled by a governmental entity.

PRIVATE STREETS, ROADS AND ROADWAY: Includes the rights-of-way as well as the improved surface that provides access to residential and commercial areas as identified in the map referred to as Exhibit "A" in Section 159.07(B) and on file in the Town Clerk's office, and reflected as green referred to as "Private Roadways".

REPLACEMENT COST: means the estimated cost to repair, reconstruct, rebuild or replace a damaged structure. It will not include the following parts of a structure or items not considered a permanent part of the structure: building plans, surveys, permits, sidewalks, pools, screens, sheds, gazebos, fences, furniture and carpeting.

STRUCTURE: means anything constructed or erected requires a fixed location

on the ground, or attached to something having a fixed location on or in the ground.

Section 5. 159.03 Recovery Coordination.

Recovery coordination shall follow policies and procedures contained in the applicable Counties' Comprehensive Disaster Management Plan (CEMP), and shall be coordinated with Manatee and Sarasota Emergency Management based on existing mutual aid and other interlocal agreements. The Town's Hurricane Plan (THP) shall also be followed where appropriate. The THP shall guide the Town in resolving conflicts caused by differing requirements of the two Counties. The Clerk shall keep at least one additional copy of all existing mutual aid and other interlocal agreements, as well as all contracts and agreements regarding Disaster Management and Post Disaster Recovery in a separate binder for the Town Manager's, staff's and public's ease of use.

Section 6. 159.04 Post-disaster Redevelopment Priorities.

(A) The following priority sequence will govern the Town's rebuilding and redevelopment efforts:

(1) Re-establishing services that meet the physical health and safety needs of the community to include: water, wastewater, food, ice; medical care; emergency access; continuity of governmental operations; communications; security of residents and possessions from harm; health; and temporary housing.

(2) Re-establishing infrastructure necessary for reconstruction of the Town such as: electrical distribution systems; communication systems; potable water and sanitary sewer service; restoring medical and health care; rebuilding damaged stormwater and transportation facilities; and, housing facilities.

(3) Restoring the Town's economic base per accepted econometric principles and practices.

(4) Improving the Town's ability to withstand the effects of future major or catastrophic disasters.

Section 7. 159.05 Essential Service and Facility Restoration Priorities.

Priorities for power, water and sewerage treatment, and communication restoration will be in accordance with existing protocols to be established by the Public

Works Department and any terms and conditions contained in executed franchise agreements with the Town. All protocols are intended to emphasize health, safety, welfare, and essential community services as priorities as well as protection of the structural and fundamental integrity of the utilities systems.

Section 8. 159.06 Authority Delegated to Town Manager in the Event of a Disaster.

(A) If after a disaster, there is a need to expend funds not otherwise authorized by the budget or to take other actions for which the Town Manager is not explicitly authorized, the Town Manager or his designee shall make every reasonable effort to have an emergency meeting of the Town Commission at a suitable time and location owing to the nature and circumstances of the disaster.

(B) Commissioners who are absent from the jurisdiction may participate in such meetings by audio and/or audiovisual means if such facilities are available and functioning.

(C) The Town recognizes that under current opinions of the Attorney General for the State of Florida, a quorum of Town Commissioners should be physically present; however, if after a disaster it is not practical for a quorum to be physically present, yet Commissioners who can attend by audio and/or audiovisual means constitute a quorum, such meetings shall be called and conducted as if a quorum were physically present.

(D) In the event it is not reasonably possible or practical to have a meeting of the Town Commission following a declaration of a state of emergency by the Governor and a determination by the state or county government that Longboat Key has suffered a catastrophic event as defined by Section 252.34, Florida Statutes, then the Town Commission hereby expressly exercises its authority and waives the procedures and formalities otherwise required of political subdivisions by law and designates the Town Manager to act in matters pertaining to:

- (1) Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
- (2) Entering into contracts;
- (3) Incurring obligations;

- (4) Employment of permanent and temporary workers;
- (5) Utilization of volunteer workers;
- (6) Rental of equipment;
- (7) Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- (8) Appropriation and expenditure of public funds.

(E) If implemented, such powers of the Town Manager shall terminate upon the next meeting of the Town Commission at which there is a quorum physically present.

Section 9. 159.07 Post-disaster Debris Clearance and Disposal Strategies.

(A) Intent and Purpose.

After a disaster, the primary mission of the Town will be to clear public streets, restore governmental services, and protect lives and property. Owing to the magnitude of the disaster and after accomplishment of the primary mission, resources may be available to the Town that may not be available to the private property owner. The intent and purpose of this Chapter is to establish a process by which the Town may evaluate and, if necessary, remove or relocate debris from along the curb of privately owned streets, roads, roadways, and other private property in the event of an immediate threat to life, public health, safety, and welfare after a significant disaster. While the Town recognizes that, as a general proposition, the removal of debris from private property is the responsibility of the private property owner, there are occasions when, because of the magnitude of the disaster and the threat posed to life, health, safety, and welfare, there may be a compelling need to remove debris from private streets, roads, and roadways as well as other private property as described in this Chapter.

(B) Access to Property.

Access to the properties indicated with a red star on the maps entitled "Town of Longboat Key Debris Management" and on file in the Town Clerk's Office, referred to

herein as "Exhibit A", shall be provided if:

(1) The Town is undertaking to clear and push debris in accordance with section 159.07 (F) and

(2) It is reasonably possible with respect to the equipment being used to provide access under the circumstances.

(C) **Private Roadways.**

The Town shall remove Debris from Private Roadways when such Debris is determined to be a public nuisance that poses an immediate threat and imperils the health, safety and welfare of the community. The Town Manager shall determine whether there is a sufficient immediate threat to the public health, safety, and welfare in accordance with any one of the following standards:

(1) Whether there is a significant likelihood that police, fire, emergency, or rescue vehicles will be significantly hindered from rendering emergency services to residential and commercial property should the Debris be allowed to remain in place absent Town removal.

(2) The type of Debris is such that it may reasonably cause illness, sickness or disease, which could injure or adversely affect the health, safety, or general welfare of those residing and working in the area if it is allowed to remain.

(3) The clearing is necessary to effectuate orderly and expeditious restoration of island-wide power, water, sewer, telephone, and other utilities.

(4) The Debris is determined by the Town Fire Marshal to be dangerous or hazardous.

(5) The Debris prevents garbage collection thereby creating a public health hazard.

(6) The Debris contains contaminants that have a reasonable likelihood of leeching into the soil and/or aquifer of the Town.

(7) The Debris has a substantially negative impact in preventing or adversely affecting emergency repairs to buildings and/or property.

(8) The Debris presents a reasonable danger of being transported by wind and/or water into the surrounding waters of the Town and thereby increasing the cost of recovery and removal.

(9) The Debris poses a significant likelihood that, if left over time, would produce mold that would be injurious to public health.

(10) The presence of the Debris significantly adversely impacts the Town's recovery efforts.

(11) The Debris significantly interferes with drainage or water runoff, so as to be a significant hazard in the event of significant rainfall.

(12) The sheer volume of the Debris is such that it is impractical and unreasonable to remove in an orderly and efficient manner absent action by the Town.

(13) The type, extent and nature of the Debris is such that it would cause much greater damage if the Debris was not removed prior to another significant storm event.

(14) Commercial or other specific areas will be cleared if, in the opinion of the Town Manager, the clearance will significantly and substantially aid the Town's recovery operations or significantly and substantially aid the health, safety, or welfare of the residents of the Town.

(D) **Waiver.**

The above criteria for Town action may be waived owing to the severity of the situation by the Florida Long Term Recovery Office Director of the Federal Emergency Management Agency (FEMA).

(E) **Indemnify and Hold Harmless.**

When the Town performs the removal of Debris as contemplated herein on private roads and private property, or clears private property as provided herein, the private property owner shall indemnify and hold harmless to the maximum extent provided by law, the federal, state and local government and all contractors, employees, officers and agents of the Town, connected with the rendering of such service.

(F) Emergency Roadway Clearance.

Nothing herein shall preclude a first response by the Town to clear and push Debris from all roadways (both public and private) including access properties necessary for the movement of emergency vehicles including police, fire and ambulance within the first 70 hours after gaining access to the Town after a disaster declaration, or such other extended period authorized by appropriate State, Federal, or Local authorities.

(G) Private Property.

Nothing herein shall require the Town to remove Debris from private property other than the Private Roadways identified above except where the severity of the situation is of such magnitude or the debris is so widespread that it is determined by the Town Commission, after consulting with FEMA, to be a significant immediate serious threat to the public health, safety and welfare of the Town and in the overriding public interest of the Town to remove Debris from such areas.

Section 10. **159.08 Determination of Damage.**

(A) The primary task of the local damage assessment team is to identify structures that have been damaged as a result of the disaster. The Town damage assessment team will catalogue and report to the Building Official those structures that have:

- (1) Been destroyed;
- (2) Received major damage; and
- (3) Received minor damage.

(B) The Building Official will then, as may be necessary, inspect the damaged structures and place each structure in one of the damage categories provided for by this article. The assessment will also serve as a basis for determining if federal and state disaster declarations are warranted.

Section 11. **159.09 Moratoria.**

(A) Conditions for declaration.

The Town Commission may, pursuant to F.S. ch. 252, declare a moratorium under the following conditions in order to prioritize the repair and reconstruction of damaged critical public facilities immediately needed for public health, safety and welfare purposes:

(1) Initial building moratorium. An initial building moratorium may be declared when one or more of the following actions or findings occur:

(a) The Town is declared a disaster area by either the Governor of the State of Florida or the President of the United States.

(b) A finding has been made by the Town Commission that a state of local emergency exists in accordance with F.S. ch. 252;

(c) Fifty or more structures have received major damage or have been destroyed as determined by the Building Official; or

(d) The Town is unable to maintain minimum acceptable levels of service expected during non-emergency situations as provided for by the Capital Improvement Element of the Town's Comprehensive Plan.

(2) Destroyed structure moratorium. No building permit will be issued for at least 30 days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium for the replacement of any structure that has been destroyed. When a building permit is issued, structures damaged can be rebuilt in accordance with 158.139 and Chapter 154.

(3) Major damaged structure moratorium. No building permit for repairs of a major damaged structure will be issued for at least ten days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium.

(4) Minor damaged structure moratorium. No building permits for the repair of minor damaged structures will be issued for at least five days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium.

(5) New development moratorium. No building permit for new construction or reconstruction unrelated to rebuilding or repairing structures damaged by the disaster will be accepted nor building permits will be issued for at least 30 days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium so that damage may be assessed and repairs be made. The Town Manager will determine and advise the Town Commission whether a new development moratorium is required based upon the results of damage assessment and recommendations from the Building Official.

(6) Outstanding building permit inspection moratorium.

(a) All building permits that were issued prior to the disaster will be suspended for a minimum period of 30 days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium, unless the Building Official determines on an individual case-by-case basis that sufficient inspection staff is available to adequately inspect the structures should construction begin or resume. Suspension of the building permit means that no further construction authorized by the building permit is permitted and that no inspections by the Town Planning, Zoning & Building Department will be performed during the applicable moratorium period. Applications for inspections relating to building permits suspended under this section shall be adjusted accordingly to reflect the time period covered by this moratorium.

(b) The Town reserves the right to reinspect any and all construction in progress pursuant to validly issued pre-disaster building permits to verify that the work in place suffered no damage as a result of the disaster. In the event that the Town determines that such construction sustained damage during the disaster or suspects that damage occurred, the property owner and/or general contractor is responsible for rework, removal, retesting, repair, and uncovering work to facilitate inspection so that compliance with the building permit and the building code can be ensured.

(7) Outstanding development order moratorium.

(a) All development orders as defined herein issued prior to the disaster will be suspended for a minimum period of 30 days, or such other time which may be established by the Town Commission, following the expiration of the initial building moratorium. Suspension of the development order means that no development order work is authorized and that no development order inspections by the Planning Zoning & Building Department will be performed during the moratorium. Applications for

development orders suspended under this section will be adjusted accordingly to reflect the time period covered by this moratorium.

(b) The Town reserves the right to reinspect any and all development order work in place prior to the disaster to verify that the work in place was not damaged during the disaster. In the event that the Town determines that development order work in place was damaged during the disaster or suspects that damage occurred, the developer will be responsible for rework, removal, retesting, repair, and uncovering work to facilitate inspection so that compliance with the development order documents and the land development code can be ensured.

(8) Site development plan, subdivision plat review, and zoning request moratorium.

(a) Site plan, zoning, subdivision plat requests that were submitted to the Town prior to the disaster will not be reviewed by the Town staff for a period of 30 days following the expiration of the initial building moratorium. All submittal dates and review periods will be adjusted accordingly to reflect the time period covered by this moratorium.

(b) No new site plan, zoning, or subdivision plat requests will be accepted by the Town for a period of 30 days following the expiration of the initial building moratorium. All submittal dates and review periods will be adjusted accordingly to reflect the time period covered by this moratorium.

(9) Duration. All moratoria other than the initial building moratoria as enacted will be in effect for the length of time described above and may be terminated or extended by the Town Commission.

Section 12. 159.10 Emergency repairs and emergency permitting.

(A) Emergency repairs.

(1) No construction or reconstruction activity may be undertaken without a building permit while a building moratorium is in effect; however, emergency repairs necessary to prevent injury, loss of life, imminent collapse of a structure or other additional damage to the structure or its contents will not be subject of the temporary moratoria provided for by this article and shall not require individual building permits. Such emergency repairs shall include but not be limited to:

(a) Temporary roof repairs with plywood or plastic sheeting to make structures habitable or to prevent continuing damage due to rain and wind to building interiors and exteriors;

(b) Covering exterior wall openings with plywood or plastic sheeting;

(c) Temporary repairs to interior ceilings and/or walls to make buildings habitable or to drain accumulated floodwaters;

(d) Temporary repairs to steps; and

(e) Temporary stabilization measures to avoid imminent building or structure collapse.

(2) Emergency repairs to buildings or infrastructure that house the following organizations or activities shall not be subject to any temporary moratorium because of their necessity to protect the public health and safety by providing electrical power, potable water, wastewater, and communications facilities; emergency stabilization of roadways; police, fire and medical facilities; essential governmental facilities; response/recovery centers and distribution centers; debris removal activities; and, stabilization or removal of structures about to collapse.

(3) Nothing in this article shall be construed to suspend state and federal permit regulations.

(B) Emergency permitting. An emergency permitting system will be established utilizing the most recent building and construction administrative codes, regulations and ordinances.

(C) Emergency permits to permit emergency repairs shall not be deemed a waiver of the Town of a determination of whether the structure has been substantially damaged in excess of 50% or more as provided in Chapter 154. Such determination shall be made pursuant to Chapter 154 (Flood Control) and, where applicable, Section 158.139 "Rebuilding Nonconforming Structures in the Event of Involuntary Destruction" as well as any other applicable state or local laws. Further, such emergency repairs may be considered in the calculation for determining whether the Market Value of the Improvement meets or exceeds 50% of the Value of the Structure as defined and calculated under Chapter 154, Flood Control.

(D) Removal of buildings in imminent danger of collapse shall be in accordance with Chapter 150 of this Code and State law.

Section 13. 159.11 Economic Redevelopment Policies.

(A) The following general policies will guide the use of resources employed towards rebuilding of the Town's economic base:

- (1) Reopen the business community.
- (2) Re-establish the tourist industry.

(B) Damaged businesses and other economic enterprises necessary for the public health and safety and for restoring the community's economic base will be allowed to use temporary structures such as modular buildings, mobile homes, or similar type structures to carry out their activities, until their damaged structure is rebuilt or replaced according to applicable development and redevelopment regulations.

Section 14. 159.12 Guidelines for Acquiring Damaged Property.

(A) When determined to be in the public interest, the Town Commission may enter into negotiation with a property owner or owners whose improved real estate property has been damaged by the disaster for the purpose of acquiring such buildings and associated land or lot for transfer by sale, lease or donation to the Town when the following conditions are met:

- (1) The property must be located in an area damaged by the disaster;
- (2) The property should be free of any encumbrances; and
- (3) The building structure must:
 - (a) Have been damaged substantially beyond repair or must have been damaged to the extent that the cost of reconstruction or repairs exceeds 50 percent of the building value of the buildings or structures at the time of the disaster; or
 - (b) Not be capable of repair or significantly increased repair costs; or have

been abandoned by its owner.

(B) Property acquired under these conditions must be dedicated for such purposes as the Town Commission may agree are consistent with:

- (1) Open space uses; or
- (2) Uses consistent with disaster cleanup.

(C) Allowable open space uses include parks for outdoor recreational activities, nature preserves or trails, beach access, unimproved parking lots, and structures functionally related to these uses such as open-sided picnic facilities, refreshment stands, or other non-habitable structures primarily supporting the recreational activities.

Section 15. 159.13 Authority.

Nothing in this article limits the authority of the Town Commission to declare, repeal or extend a state of local emergency.

Section 16. 159.14 Penalties.

(A) Any person, firm, company or corporation who fails to comply with or violates any section of this article, or the emergency measures which may be effective pursuant to this article, is guilty of a misdemeanor of the second degree, and upon conviction for such offense, may be punished by a fine not to exceed \$500.00 or by imprisonment not to exceed 60 days in jail, or both, at the discretion of the court hearing the case. Each day of continued noncompliance or violation will constitute a separate offense. In addition to this penalty, any construction licensee of the state who violates any provision of this article or the emergency measures which are effective as a result of this article, will be charged with said violation and have the matter heard before the appropriate state administrative body, or court of law.

(B) Nothing contained herein shall prevent the Town from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any failure to comply with, or violation of, this article or the emergency measures which may be made effective according to this article. Such other lawful action includes, but it is not limited to, an equitable action for injunctive relief or an action at law for damages.

(Ordinance 06-30 continued)

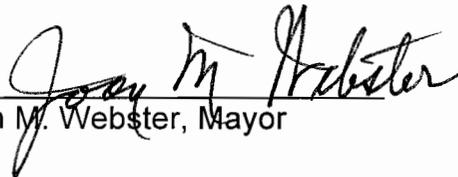
Section 17. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 18. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

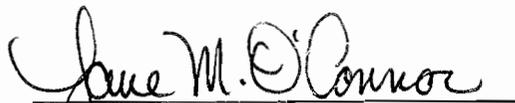
Section 19. This Ordinance shall take effect upon second reading in accordance with Law and the Charter of the Town.

Passed on first reading this 8th day of January, 2007.

Adopted on second reading and public hearing this ^{5th} day of FEBRUARY, 2007.


Joan M. Webster, Mayor

ATTEST:


Jane M. O'Connor, Town Clerk