

RESOLUTION 08-2009

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MALABAR, FLORIDA AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH BUILDING OFFICIAL DARRYL MUNROE TO PROVIDE BUILDING INSPECTIONS AND PLAN REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar has only one person licensed to perform plan review and building inspections;

WHEREAS, the Town of Malabar would benefit from an Agreement providing these services while Malabar's Building Official is on vacation or away at conferences or in other ways not available.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, FLORIDA, AS FOLLOWS:

Section 1.

That the Mayor is hereby authorized to sign the Agreement with Daryl Munroe to perform plan reviews and building inspections from time to time as set for in the Agreement which is attached as Exhibit "A" and incorporated herein as if set forth in full.

Section 2.

Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 3.

Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4.

Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

This Resolution was moved for adoption by Council Member Borton. The motion was seconded by Council Member Vail and upon being put to a vote, the vote was as follows:

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| Council Member Nancy Borton | <u> Aye</u> |
| Council Member Brian Vail | <u> Aye</u> |
| Council Member Steve Rivet | <u> Aye</u> |
| Council Member Jeffrey (Jeff) McKnight | <u> Aye</u> |

Aye

This Resolution was then declared to be duly passed and adopted this 4th day of May, 2009.

TOWN OF MALABAR

By:

 Thomas Eschenberg
Mayor Thomas M. Eschenberg, Chair

ATTEST:

 Debby K. Franklin
Debby K. Franklin
Town Clerk/Treasurer

(seal)

Approved as to Form and Content:

 Karl Bohne
Karl W. Bohne, Jr., Town Attorney