

ORDINANCE 2010-35

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA
ADOPTING THE BUDGET FOR THE TOWN OF MALABAR FOR THE PERIOD FROM
OCTOBER 1, 2010 THROUGH AND INCLUDING SEPTEMBER 30, 2011, PROVIDING
FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar has compiled a budget for the period from October 1, 2010 through and including September 30, 2011; and accordance with the laws of the State of Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:

SECTION 1. The Town Council, in regular session duly assembled adopt the final Budget of \$2,007,419.00 for the proposed expenditures from October 1, 2010 through and including September 30, 2011, reflecting the general operating millage rate of 1.6630 mills. This total budget includes \$1,582,761.00 in the General Fund, \$228,601 in the Stormwater Fund and \$196,057.00 in the Utility Fund.

SECTION 2. This budget may be amended and adjusted during the year if necessary, by resolution.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 5. This ordinance shall become effective immediately upon its adoption after the second reading and public hearing.

This ordinance was moved for adoption by Council Member Vail and was seconded by Council Member BORTON and, upon being put to a vote, the vote was as follows:

- Council Member Nancy Borton
- Council Member Brian Vail
- Council Member Steven (Steve) Rivet
- Council Member Jeffrey (Jeff) McKnight
- Council Member Marisa Acquaviva

Aye
Aye
Aye
Aye
Aye

This ordinance was then declared to be duly passed and adopted this 20th day of September, 2010.

TOWN OF MALABAR
Thomas M. Eschenberg
By Thomas M. Eschenberg, Chair

First Reading: 09/07/2010
Second Reading: 09/20/2010

ATTEST: (Seal)

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