

**ORDINANCE NO. 2839-11**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,  
REPEALING ORDINANCE NO. 2828-10 RELATING TO SETTING OF  
SALARY FOR THE MAYOR AND CITY COMMISSIONERS, PROVIDING  
FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the citizens of Winter Park by referendum vote on March 9, 2010, amended the City Charter to authorize the City Commission to determine the annual salary of the Mayor and Commissioners by ordinance; and

**WHEREAS**, the City is granted the authority under the City Charter and Section 2(b), Article VIII of the State Constitution to exercise any power for municipal purposes except where expressly prohibited by law; and

**WHEREAS**, given the current economic downturn and the circumstances confronting the citizens of Winter Park and the professional staff employed by the City it is determined by the City Commission that it is appropriate to repeal Ordinance No. 2828-10 which provided for an increase in the annual salaries of the Mayor and Commissioners.

**NOW, THEREFORE**, the City Commission of the City of Winter Park, Florida, hereby ordains as follows:

**Section 1. Recitals.** The recitals set forth above are hereby adopted and incorporated herein by reference.

**Section 2. Repeal of Ordinance No. 2828-10.** Ordinance No. 2828-10 is hereby repealed and is null, void and of no effect, although it is acknowledged that pursuant to the City Charter a future Commission shall have the authority to change by duly enacted ordinance the compensation payable to the Commissioners and Mayor.

**Section 3. Repeal Of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 4. Incorporation Into Code.** This Ordinance shall be incorporated into the Winter Park City Code at any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the City Code may be freely made. All references to an increase in compensation as a result of Ordinance No. 2828-10 shall be deleted from the Municipal Code and the amount of compensation payable to the Mayor and Commissioners shall be restored to that amount of compensation established within the City as if Ordinance No. 2828-10

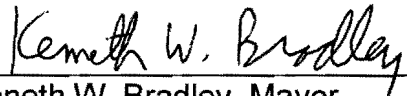
had never taken effect. Accordingly, unless a future Commission by ordinance changes the amount of compensation, the compensation payable to the Mayor on an annual basis shall be \$3,000.00 and the compensation payable to each Commissioner on an annual basis shall be \$2,400.00. The salary of the Mayor and City Commissioners shall be paid in equal monthly installments.

**Section 5. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 6. Conflicts.** All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

**Section 7. Effective Date.** This Ordinance shall become effective immediately upon its final passage and adoption by the City Commission of the City of Winter Park, Florida.

**ADOPTED** by the City Commission of the City of Winter Park, Florida, in a regular meeting held on the 11<sup>th</sup> day of April, 2011.

  
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Kenneth W. Bradley, Mayor

Attest:   
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Cynthia S. Bonham, City Clerk