

**ORDINANCE NO. 2008-6**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, ADOPTING A BUDGET FOR FISCAL YEAR 2008-2009 FOR THE VILLAGE OF BISCAYNE PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the 2008-2009 Budget for the expenditures of the Village's departments, divisions, funds and offices have been prepared by the Village Manager and submitted to the Village Commission; and

**WHEREAS**, said Budget, in conformity with the Village Charter requirements, have been filed with the Village Clerk and have been open for inspection by the public; and

**WHEREAS**, a public hearing has been held pursuant to notice published in a newspaper circulated in the Village wherein all interested persons were given the opportunity to voice their objections to any item listed in the Budget; now, therefore

**BE IT ORDAINED** by the Village Commission of the Village of Biscayne Park, Florida, as follows:

**Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** The Budget, a copy of which is attached hereto and expressly made a part hereof, is hereby adopted and shall be in full force and effect for the Fiscal Year of the Village of Biscayne Park, Florida, commencing on October 1, 2008 and terminated on September 30, 2009.

**Section 3.** There is hereby appropriated from the General Fund and other funds of the Village as set forth in detail in the Budget annexed hereto, for the uses, expenditures and fiscal requirements of the several departments, divisions, boards, funds and offices of the Village, the sum designated in said Budget.

**Section 4.** The Budget for Fiscal Year 2008-2009, is attached hereto and made a specific part hereof as Exhibit "1." All as set forth in detail in said Budget, be and the same is hereby approved and adopted and accepted as the Budget for the Village of Biscayne Park, Florida for the Fiscal Year 2008-2009.

**Section 5.** The provisions of this ordinance shall not be deemed to be a limitation on the powers granted to the Village Commission by the Village Charter, which are related to the fiscal management of the Village's funds.

**Section 6.** From time to time, the Village Commission may transfer funds from one fund, account or department to another as the necessity for the same may occur without being required to amend the terms and provisions of this ordinance.

**Section 7.** All ordinances or parts of ordinances and resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 8.** If any clause, section, or other part or application of this ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force or effect.

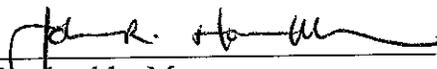
**Section 9.** This Ordinance shall become effective immediately upon its passage and adoption.

The foregoing Ordinance was offered by Comm. Anderson, who moved its adoption.

The motion was seconded by Vice-Mayor Morris and upon being put to a vote, the vote was as follows:

PASSED AND ADOPTED upon first reading this 9th day of September, 2008.

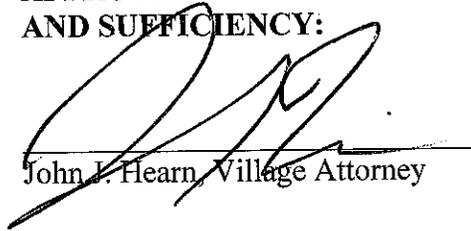
PASSED AND ADOPTED upon second reading this 23rd day of September, 2008.

  
John Hornbuckle, Mayor

**ATTEST:**

  
Ann Harper, Village Clerk

**APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY:**

  
John J. Hearn, Village Attorney

**The foregoing Ordinance upon being  
put to a vote, the vote was as follows:**

Mayor Hornbuckle YES

Vice Mayor Morris YES

Commissioner Anderson YES

Commissioner Bernard NO

Commissioner Mallette YES