

EXAMPLES OF LEGAL LANGUAGE FOR TITLE AND SECTIONS

Defer to your City Attorney for common legal language that is specific to your municipality. These are only examples of what the City of Lake Alfred uses.

Affirmative Acceptance. [Accepting Purchased Property]

The Commission hereby affirmatively accepts from Tree-O Groves, a Florida corporation, the conveyance of said Property described in that Warranty Deed dated November 3, 2025, and recorded on January 21, 2026, in Official Records Book 13853, Pages 1751 through 1752, public records of Polk County, Florida, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

Administrative Correction of Scrivener's Errors.

It is the intention of the City Commission that sections of this Resolution may be renumbered or re-lettered and the word "resolution" may be changed to "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Resolution may be re-numbered or re-lettered, and the correction of typographical and/or scrivener's errors that do not affect the intent may be authorized by the City Manager or his/her designee, without the need of a public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

Amendment. [Zoning]

The *applicant-initiated* request to amend the Official Zoning Map of the City of Lake Alfred, Florida, to change the zoning designation on and/or for the real property identified by the Polk County Property Appraiser as Parcel Identification No. 262720-000000-032010 (the "Property") to *City of Lake Alfred Vintage Residential Neighborhood (VRN)* on approximately 12.37± acres of land is hereby approved and enacted The Property which is the subject of this **Ordinance No. 1576-26** is legally described in **Exhibit "A"** and depicted in **Exhibit "B"** which are attached hereto and made a part hereof by reference.

Amendments to the Charter of the City of Lake Alfred.

The Charter of the City of Lake Alfred, Florida (the "Charter") is amended as set forth in Exhibit "A" (the "Amendments"), a copy of which is attached hereto and incorporated herein by reference, to amend Section 4.05(a) and (d) Elections of the City's Charter and Sections 2.05 and 2.07(c) of the City's Charter which are related elections provisions in order to effectuate the change in and/or for the date of the City's regular municipal elections, extending term(s) of seated City elected officials which is necessitated by such change in the election date, and other minor editorial revision(s) related thereto.

The terms of all City Commissioners serving on the effective date of this Ordinance are hereby extended to the dates their successors are elected and seated according to the provisions hereof as necessitated by the change in the City of Lake Alfred municipal election date to the first Tuesday after the first Monday in November 2027, as provided for herein.

Annexation.

The City Commission of the City of Lake Alfred does hereby annex into the corporate limits of the City of Lake Alfred, Florida, the property as legally described and depicted (i.e., location map) in **Composite Exhibit “B”** attached hereto and made a part hereof.

Approval.

The City Commission of the City of Lake Alfred, Florida (hereafter the “City Commission”), does hereby authorize, approve, confirm and support the preparation and submittal of the City of Lake Alfred Safe Routes Grant Application to the Florida Department of Transportation for the Florida Safe Routes to School 2025 Application Cycle which includes, but shall not be limited to, the *City of Lake Alfred Safe Route Map* and *Safe Routes To School Summary* which are attached hereto as **Composite Exhibit “A”** and incorporated herein by reference.

Approval and Authorization.

The City Commission of the City of Lake Alfred, Florida (hereafter the “City Commission”), does hereby authorize, approve, and support the Amended Updated Employment Agreement, and the Mayor is hereby authorized and directed to execute the Agreement with Ryan Leavengood, a copy of which is attached hereto and referenced as Exhibit “A”, and incorporated herein by reference.

Authorization.

The City Commission hereby authorizes the City Manager and/or his/her authorized designee to take any necessary further action(s) in order to effectuate the intent and carry out the aims of this Resolution. which may include, but shall not be limited to, adopting the Sidewalk Improvements as an update to the *City of Lake Alfred Concurrency Management System*, coordinating the City’s efforts to submit the Safe Routes to School Grant Application, satisfying all applicable Grant requirements, executing any and all associated documents which are related to the completion and submittal of the City of Lake Alfred Safe Routes to School Grant Application.

Business Impact Estimate. [Varies depending on type of Ordinance]

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, was enacted and further amends Section 166.041(4), Florida Statutes, by amending the applicable exemptions from the *business impact estimate* requirement(s).

In this instance, this Ordinance is enacted and necessary to maintain consistency with *Chapters 97-106, Florida Statutes*, which is titled and known as the *Florida Election Code*. As such, pursuant to Section 166.041(4)(c)1, Florida Statutes (2024), the ordinance is an ordinance required for compliance with federal or state law or regulation and likely does not require a *business impact estimate*.

[Second BIE Example for Planned Unit Development]

On October 1, 2023, *Senate Bill 170* ("SB 170"), *Chapter 2023-309, Laws of Florida*, was enacted amending *Section 166.041, Florida Statutes*, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance. *Section 166.041(4)(c)1*, as amended, provided that municipal ordinances enacted to implement *Part II of Chapter 163, Florida Statutes*, were not subject to the *business impact estimate* requirement.

On October 1, 2024, *Senate Bill 1628* ("SB 1628"), as codified under *Chapter 2024-145, Laws of Florida*, was enacted amending *Section 166.041, Fla. Stat. (2023)*, by creating express exclusion(s) for *comprehensive plan* and *land development regulation amendments* initiated by an applicant.

In this instance, Ordinance No. 1573-26 shall be considered and enacted pursuant to an *applicant-initiated* request for a municipal ordinance to enact regulation(s) for the purpose of implementing *development orders* and *development permits*, as the terms are defined by *Section 163.3164, Florida Statutes (2024)*.

Therefore, Ordinance No. 1573-26 arises out of an *applicant-initiated* request for an amendment to Official Zoning Map of the City of Lake Alfred, Florida; and, pursuant to the *applicant-initiated* request, Ordinance No. 1573-26 is an official action of the City Commission which enables the City to issue development approval(s) and permit(s) for the development of the subject real property.

Henceforth, pursuant to applicable Florida law, this Ordinance No. 1573-26 is exempt and does not require a business impact estimate.

Codification.

It is the intent of the City Commission that the provisions of Exhibit 'A' to this Ordinance shall be codified as and become and be made a part of the *City of Lake Alfred's Charter*. The Amendments set forth in Exhibit "A" attached to this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Conflicts.

All resolutions in conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

Effective Date.

This Ordinance shall become effective immediately upon its passage and adoption by the City of Lake Alfred, Florida, City Commission.

[Second Example for Effective Date of a Planned Unit Development (FDOC Development Order)]

The effective date of this plan amendment, if the amendment is not timely challenged by an affected party, shall be 31 days after adoption. If timely challenged, this Ordinance No. 1573-26 shall become effective on the date the state land planning agency, or the Administration Commission enters a final order determining this Ordinance No. 1573-26 to be in compliance. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

No development orders, development permits, or land uses dependent on this Ordinance No. 1573-26 may be issued or commence before it has become effective.

[Third Example of an Effective Date for a date that has already occurred.]

This Resolution shall take effect, *nunc pro tunc* to November 3, 2025, immediately upon its passage by the Commission.

Incorporation of Factual Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the passage of this Resolution and the City Commission of the City of Lake Alfred, Florida (the "City Commission"), hereby adopts the above-referenced factual recitals as the legislative findings supporting the passage of this Resolution. The above factual recitals are hereby incorporated herein and serve as a factual and material basis for the passage of this Resolution.

Recordation.

The City Clerk shall be responsible for recording this **Ordinance No. 1574-26**, as adopted, with the Clerk of the Circuit Court in and for the Tenth Judicial Circuit of Polk County, Florida, for inclusion in the public records of Polk County, Florida.

Severability.

The provisions of this Resolution are severable. If any section, subsection, sentence, clause, phrase of this Resolution or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The City Commission hereby declares that it would have passed this Resolution and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this Resolution shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The City of Lake Alfred, Florida, by and through the City Commission, hereby declares that it would have passed this Resolution and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Transmittal.

This Ordinance shall be transmitted to the Florida Department of Commerce for review for compliance with applicable Florida law which may include, but shall not be limited to, *Section 380.07(2), Florida Statutes*, requiring that development orders (permits, plats, re-plats, etc.) and land development regulations (ordinances) be rendered to the Florida Department of Commerce for review. Regulations must be rendered to the Florida Department of Commerce for review for consistency with the *City of Lake Alfred 2030 Comprehensive Plan*, amongst others. If the Florida Department of Commerce finds that this Ordinance is not consistent with the *City of Lake Alfred 2030 Comprehensive Plan* and the applicable Principles for Guiding Development, this Ordinance may be rejected.

Voluntary Annexation Petition.

Pursuant to *Section 171.044, Florida Statutes (2025)*, the *applicant-initiated* petition to voluntarily integrate territory into the corporate limits of the City of Lake Alfred, Florida, is attached hereto as Composite Exhibit “A” and incorporated herein by reference.