

ORDINANCE NO. 2008-06

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE BABCOCK STREET REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING SECTION 10-161, CITY CODE, TO PROVIDE FOR A REDEVELOPMENT PLAN MODIFICATION TO INCLUDE NEW PROGRAMS; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS INCONSISTENT HERewith; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, pursuant to Section 163.410, Florida Statutes, on September 9, 1997, the Board of County Commissioners of Brevard County, Florida, adopted Brevard County Resolution No. 97-187, delegating authority to the City Council of the City of Melbourne to create and operate a Chapter 163, Florida Statutes, Community Redevelopment Agency generally known as the Babcock Street Community Redevelopment Agency within the area described in Section 10-153, City Code; and

WHEREAS, pursuant to Section 163.361, the governing body may amend such plan upon the recommendation of the agency should it become necessary or desirable to amend or modify the redevelopment plan; and

WHEREAS, the proposed amendment to the redevelopment plan attached to this ordinance as Exhibit "A" and incorporated herein by reference, provides the modified Babcock Street Community Redevelopment Plan; and

WHEREAS, the Melbourne City Council and the Local Planning Agency reviewed the plan and found the proposed amendment to the redevelopment plan to be consistent with Section 163.360, Florida Statutes, and the Comprehensive Plan; and

WHEREAS, the Melbourne City Council desires to amend the Babcock Street Redevelopment Plan, revising the plan for the implementation of new programs.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 10-161 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 10-161. Community redevelopment plan approved.

The Babcock Street Community Redevelopment Plan adopted by Ordinance No. 98-23, and as amended by Ordinance No. 2002-28, and as amended by Ordinance No. 2003-06, and Ordinance No. 2008-06, shall constitute the community redevelopment plan for the Babcock Street Community Redevelopment Agency.

SECTION 2. That attached hereto as Exhibit "A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated January 22, 2008.

SECTION 3. That it is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

That in interpreting this ordinance, underlined words indicate additions to the existing text and stricken words indicate a deletion from existing text.

SECTION 4. That all ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

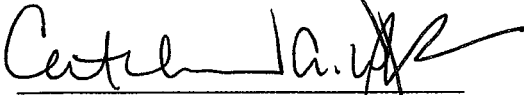
SECTION 5. That this ordinance shall become effective immediately upon its adoption in accordance with the City Charter.

SECTION 6. That this ordinance was passed on first reading at a regular meeting of the City Council on the 22nd day of January, 2008, and adopted on the second and final reading at a regular meeting of the City Council on the 12th day of February, 2008.

BY:


Harry C. Goode, Jr., Mayor

ATTEST:



Cathleen A. Wysor, City Clerk

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Attachment: Babcock Street Community Redevelopment Plan