

**ORDINANCE 2008-12**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA  
ADOPTING THE BUDGET FOR THE TOWN OF MALABAR FOR THE PERIOD FROM  
OCTOBER 1, 2008 THROUGH AND INCLUDING SEPTEMBER 30, 2009.**

**WHEREAS**, the Town of Malabar has compiled a budget for the period from October 1, 2008 through and including September 30, 2009; 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, of the Town of Malabar, in regular session duly assembled, adopt the final Budget of \$1,927,058.00 for the proposed expenditures from October 1, 2008 through and including September 30, 2009, reflecting the general operating millage rate of 1.4676 mills.

**SECTION 2.** This budget may be amended 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**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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.

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

Council Member Nancy Borton	<u>Aye</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Charles (Chuck) McClelland	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Nay</u>
Council Member Patricia (Pat) Dezman	<u>Aye</u>

This ordinance was then declared to be duly passed and adopted this 22 day of September, 2008.

TOWN OF MALABAR

Thomas Eschenberg

By Thomas M. Eschenberg, Chair

First Reading 09/08/2008

Second Reading 09/22/2008

ATTEST: (Seal)

Debby K. Franklin

Debby K. Franklin, Town Clerk