

6/29/22

ORDINANCE NO. 2022-___

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING SECTION ____ OF THE CODE OF ORDINANCES; PROVIDING RATES OF TRAVEL PER DIEM, SUBSISTENCE, AND PRIVATE VEHICLE MILEAGE ALLOWANCE FOR PUBLIC OFFICIALS AND EMPLOYEES; PROVIDING FOR CODIFICATION; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.021(9)(b), Florida Statutes expressly authorizes the City Commission to provide for a per diem and travel expense policy which varies from the provisions of section 112.061, Florida Statutes; and

WHEREAS, The City Commission deems it to be in the best interest of the citizens, residents, employees and public officials to modify the per diem and allowances provided for in section 112.061(6)(b), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

SECTION 2. The City Council hereby creates Section _____ as follows:

Section ____ . Traveling Expenses for Public Officers, Employees.

Notwithstanding the provisions of F.S. § 112.061(6)(b), the rates of per diem and subsistence shall be as follows:

- 1) Breakfast \$10.00
- 2) Lunch \$14.00
- 3) Dinner \$24.00

The rates set forth herein may be amended by Resolution of the City Commission.

Notwithstanding the provisions of F.S. § 112.061(7)(d)1, when a privately owned vehicle is utilized for official travel in lieu of publicly owned vehicles or common carriers, the traveler shall be entitled to a mileage allowance based upon the then current optional standard mileage rate for computing the deductible cost of operating an

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automobile promulgated by the Internal Revenue Service.

SECTION 3. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 5. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

SECTION 6. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this ____ day of _____, 2022, on first reading.

PUBLISHED on this ____ day of _____, 2022 in the Palm Beach Post.

PASSED AND ADOPTED this ____ day of _____, 2022, on second reading.

City of Westlake
John Paul O'Connor , Mayor

ATTEST:

Zoie Burgess, City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY