

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2012-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ORDINANCE 2011-011, WHICH ESTABLISHED THE TOWN'S PLANNING AND ZONING BOARD, TO AMEND SECTION 2, SUBSECTION ENTITLED "COMPOSITION AND TERM OF OFFICE" TO PROVIDE THAT ALTERNATE MEMBERS OF THE BOARD MAY PARTICIPATE IN ALL MATTERS COMING BEFORE THE BOARD AT MEETINGS IN WHICH THEY ARE IN ATTENDANCE, BUT MAY VOTE ONLY IN THE ABSENCE OF A REGULAR MEMBER; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves adopted Ordinance 2011-011, which established the Town's Planning and Zoning Board ("Board"); and,

WHEREAS, the Board has requested that alternate members of the Board be permitted to participate in any matter coming before the Board at a meeting at which the Alternate Member attends; and,

WHEREAS, the Town Council finds it is in the best interest of the Town to amend Ordinance 2011-011 to permit alternate members of the Board to participate in all matters that come before the Board at meetings at which they attend, but may vote only in the absence of a regular member of the Board.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: The Town Council of the Town of Loxahatchee Groves hereby amends Ordinance 2011-011, to amend the Section entitled "Composition and term of office," to permit alternate members of the Planning and Zoning Board ("Board") to participate in all matters that come before the Board at meetings at which they attend, but may vote only in the absence of a regular member of the Board, as follows:

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Sec. - Composition and term of office.

(1) The Planning and Zoning Board shall be composed of five (5) members, and two (2) alternate members placed in office in accordance with the following procedure:

(a) Each member of the Town Council, following his or her election or re-election to office, shall nominate a qualified citizen for appointment to the Planning and Zoning Board by the Town Council, to serve a term of three (3) years.

(b) Two (2) alternative members, designated as Alternate No. 1 and Alternate No. 2, shall be appointed by the Town Council each year to serve one (1) year terms. Alternate members shall may participate in all matters that come before the Board at meetings at which they attend. However, alternate members may only vote and vote as members of the Board, in their designated order, whenever any regular member of the Board is absent.

(2) Members of the Planning and Zoning Board shall be appointed from the residents of the Town who shall be knowledgeable concerning the functions of municipal government, planning and zoning matters and municipal development, as well as, from professions associated with development including, without limitation, architects, planners, attorneys, engineers, and contractors. Board members shall hold no other Town office or position.

(3) Three (3) members of the Planning and Zoning Board who are in attendance shall constitute a quorum for purpose of convening a meeting and transacting the business at hand.

(4) Vacancies on the Planning and Zoning Board shall be filled by appointment by the Town Council for the unexpired term of the membership vacated. Nomination for such appointment shall be made by the council member who nominated the vacating Board member; except that if an alternate member should vacate his position, any member of the Town Council may nominate a qualified citizen for appointment to such position, which must be approved by the Town Council.

(5) The Town Council shall have the authority to remove any member of the Planning and Zoning Board from his or her office for cause whenever, after due notice of hearing at a regular or special meeting of the Town Council, a majority of the council votes for such removal. Causes for removal shall include absence from five (5) consecutive Board meetings without valid excuse as determined by the Town Council.

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(6) Compensation. The members of the Planning Board shall serve without compensation, but shall be reimbursed for any expenses authorized by the Town Council, which may be incurred in the performance of their duties.

(7) Organizational meeting. The initial organizational meeting of the Board shall occur at the first meeting of the Board following the appointment of Board members by the Town Council. Thereafter, the Board meeting in April of each year shall be designated an organizational meeting for the purpose of electing a chairman and vice-chair, who shall be elected for terms of one (1) year by the Board from its membership.

Section 3. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4: Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 5: Codification. It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Loxahatchee Groves, Florida, and that the Sections of this ordinance may be re-numbered, 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 6: Effective Date. This ordinance shall take effect immediately upon adoption.

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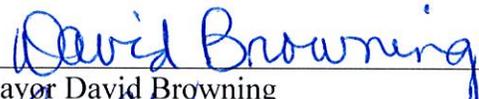
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 3RD DAY OF JANUARY, 2012.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 7TH DAY OF FEBRUARY, 2012.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

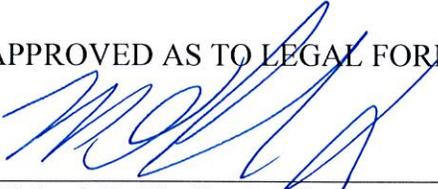
ATTEST:


Janice M. Moore, Town Clerk

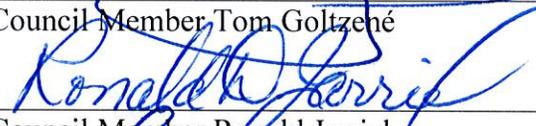

Mayor David Browning

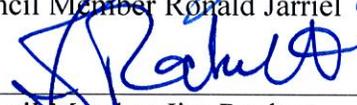

Vice Mayor Ryan Liang

APPROVED AS TO LEGAL FORM:


Michael D. Cirullo, Jr., Town Attorney


Council Member Tom Goltzené


Council Member Ronald Jarriel


Council Member Jim Rockett