

SPONSORED BY:  
Vice-Mayor Wiley



ORDINANCE NO. 2017-07

**A BILL TO BE ENTITLED**

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA,  
AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT  
REGULATIONS; ARTICLE II, ADMINISTRATION AND  
ENFORCEMENT; DIVISION II, COMMUNITY DEVELOPMENT  
BOARD, SECTION 27-38 OFFICERS AND PROVIDING AN  
EFFECTIVE DATE.**

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to amend the following:

**Now, Therefore**, be it ordained by the City Council of Neptune Beach, Florida:

**Section 1.** Chapter 27 Unified Land Development Regulations, Article II Administration and Enforcement, Division II Community Development Board, Section 27-38 Officers; shall be amended as follows:

**Sec. 27-38 - Officers.**

(a) *Appointment.* The board shall have seven (7) members appointed by the mayor subject to confirmation by resolution of the city council.

(b) *Eligibility requirements.* The following conditions for eligibility for appointment to the board shall apply:

(1) *Place of residence.* Each member shall reside in the City of Neptune Beach.

(2) *City employees and members of the city council.* No member of the city council or employee of the city shall be eligible for membership on the board.

(c) *Composition.* Any interested and eligible citizen as provided for above, may be appointed to the board, but those with experience or interest in the field of planning and zoning or historic preservation shall receive special consideration. Whenever possible, the board shall include at least one (1) each of the following:

(1) An architect or landscape architect;

(2) A person engaged in real estate sales or development;

(3) A natural or environmental scientist;

(4) An engineer; and

(5) An urban/regional planner.

(d) *Terms of office.* Each member shall be appointed to not more than a three-year term. No person may serve more than two (2) consecutive three-year terms. Persons disqualified by this provision may be reappointed after one (1) year elapses after the expiration of the second term of service.

(e) *Conditions for removal from board.* A member of the board shall be removed from the board and the member's office declared vacant by the city council under any of the following conditions:

(1) If the member fails to attend three (3) successive regular meetings.

(2) If the member moves outside of the city.

(3) If by majority vote, the city council declares without notice and without assignment of cause the removal of a member.

(f) *Vacancies.* When a position becomes vacant before the end of the term, the mayor, subject to confirmation by majority vote of the city council, shall appoint a substitute member to fill the vacancy for the duration of the vacated term. A member whose term expires may continue to serve until a successor is appointed and qualified.

(g) *Appointment of chair and vice-chair.* The members of the board shall annually elect, by majority vote, a chair, and vice-chair from among the members. The chair, or in the absence of the chair, the vice-chair, may administer oaths. The mayor may create and fill other offices as deemed necessary.

(h) *Subcommittees.* The board may create whatever subcommittees it deems necessary to carry out the purposes of the board. The board may have a standing subcommittee that will serve as the historic preservation board for the city, as deemed necessary.

(i) *Appointment of subcommittees.* The chair of the board shall appoint the membership of each subcommittee from the members of the board.

(j) *Record keeping.* The city clerk shall serve as custodian of all board minutes.

(k) *Compensation.* Members shall not be compensated, but may be paid for travel and other expenses incurred on board business under procedures prescribed in advance by the city council.

(l) *Alternate members.* Three (3) alternate members may be appointed by the mayor, subject to confirmation by resolution of the city council, to serve on the board in the absence of board members. Each alternate member shall be appointed for not more than one-year terms and may be reappointed for a total term limit of three (3) consecutive one-year terms.

(m) *Training.* The board members shall have one (1) training session per year to be given by the city attorney or a seminar approved by the city manager, if budgeted by the city council.

(Ord. No. 2004-10, § 1, 10-4-04; Ord. No. 2005-04, § 1, 3-7-05; Ord. No. 2010-14, § 6, 9-7-10)

**Section 2.** The Ordinance shall become effective on after passage by the City Council.

**VOTE RESULTS OF FIRST READING AND PUBLIC HEARING:**

Mayor Elaine Brown	Y
Vice Mayor Scott Wiley	Y
Councilor Rory Diamond	Y
Councilor Richard Arthur	Y

Passed on First Reading this 1<sup>st</sup> day of May, 2017.

**VOTE RESULTS OF SECOND AND FINAL READING AND PUBLIC HEARING:**

Mayor Elaine Brown	Y
Vice Mayor Scott Wiley	Y
Councilor Rory Diamond	Y
Councilor Richard Arthur	Y
Councilor Fred Jones	Y

Passed on Second and Final Reading this 5<sup>th</sup> day of June, 2017.

  
Elaine Brown, Mayor

ATTEST:

  
Amanda Askew, Acting City Clerk

Approved as to form and content:

  
Patrick Krechowski, City Attorney