

ORDINANCE NO. 2843-11

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA CONSOLIDATING CITY BOARDS AND COMMISSIONS, DEFINING THE DUTIES OF BOARDS AND COMMISSIONS OF THE CITY OF WINTER PARK, AND AMENDING OR REPEALING CERTAIN ORDINANCES AND RESOLUTIONS RELATING TO SUBSIDIARY BOARDS AND COMMISSIONS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park has at this time several ordinances and resolutions regarding City boards and commissions that are codified in several sections of the Code of the City of Winter Park; and

WHEREAS, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

WHEREAS, the City Commission has determined that it is in the interest of the residents of Winter Park and other persons doing business with the City to provide for a uniform and comprehensive division within the City Code, to the extent allowed by law, concerning all subsidiary boards and commissions of the City, and to provide for a consolidation of the rules pertaining to such boards.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, HEREBY ORDAINS AS FOLLOWS

Section 1. Recitals. The recitals set forth above are hereby adopted and incorporated by reference.

Section 2. Replacement of Chapter 2, Article III. Except for Sections 2-81(b) (which shall be renumbered as 2-81), and Sections 2-90 through 2-100, and Sections 2-104 through 2-120, Chapter 2, Article III entitled "Boards and Commissions" in the City Code is hereby repealed, and is replaced with the following provisions:

DIVISION ONE

Establishment of City Boards

- a. Establishment of City Boards. There shall be established in this Division all boards of the City of Winter Park. If a board is required to be in existence by Florida Statute or City Charter, the section providing for the board shall so provide, as well as any special requirements. If, by Florida Statute or Charter there is a requirement with respect to the board that is different than the general rules in this Chapter and Article, then the requirements of State statute and the Charter shall control.

- b. List and Size of Boards Established. The following boards and number of members are established. The general requirements are specified in Division Two herein and the board specific requirements are specified in Division Three. Unless the City Charter or state law requires a different number of members, each board shall have seven members and one alternate member, although boards that had more than seven members prior to May 9, 2011, shall continue to have the greater number of members plus one alternate, as shown hereinafter:
1. Board of Adjustments
 2. Civil Service Board
 3. Code Enforcement Board (which also sits as the Nuisance Abatement Board)
 4. Community Redevelopment Agency
 5. Community Redevelopment Advisory Board
 6. Construction Board of Adjustments and Appeals
 7. Economic Development Advisory Board
 8. Environmental Review Advisory Board – Nine members, one alternate
 9. Ethics Advisory Board
 10. Historic Preservation Board
 11. Housing Authority Board
 12. Independent Personnel Review Board
 13. Keep Winter Park Beautiful Advisory Board – Eleven members, one alternate.
 14. Lakes and Waterways Advisory Board
 15. Parks and Recreation Advisory Board
 16. Pedestrian and Bicycle Advisory Board
 17. Planning and Zoning Board
 18. Public Art Advisory Board – Eleven members, one alternate.
 19. Tree Preservation Board
 20. Utilities Advisory Board – Nine members, one alternate.
 21. Winter Park Firefighters Pension Board
 22. Winter Park Police Officers Pension Board

DIVISION TWO

General Rules Applicable to Subsidiary Boards of the City of Winter Park

- a. Date of Appointment of Members. With the exception of the Civil Service Board, the members of all boards of the City shall be appointed by the Mayor, subject to the approval of the City Commission, at the first Commission meeting in May of each year or as soon thereafter as possible and such members shall be seated at the first meeting following May 31st. The members of the Civil Service Board shall be appointed in December and be seated effective the third Tuesday in January.
- b. Removal of Members. Members of City boards shall serve at the will of the City Commission and shall be subject to removal at any time, with or without

cause, by a majority vote of the City Commission. This provision is intended to be supplemental to, and not in conflict with, the provisions of Section 112.501, Florida Statutes, which concerns the procedure for removal or suspension of a member of a municipal board for cause. In instances when a member is removed for cause, the procedures in Section 112.501, Florida Statutes shall apply.

- c. Resignations. Members of all boards shall be entitled to resign at any time by delivery of written notice thereof to the City Commission.
- d. Quorum. A quorum shall be a majority of the total board membership physically in attendance at a meeting.
- e. Applicability of Rules of Ethics. No member shall take any action or vote if such vote or action is prohibited by a standard of conduct or voting conflict of interest as defined or prohibited in the Code of Ethics for Public Officers and Employees stated in Chapter 112, Florida Statutes, or if such action or vote is in violation of the Code of the City of Winter Park.
- f. Vacancies. The Mayor, subject to approval of the City Commission, shall promptly fill all vacancies, including alternate members, occurring on City boards. A vacancy shall be filled for the unexpired term of the member whose term becomes vacant.
- g. Alternate Members. An alternate member may always participate in board discussions subject to the rules adopted by each board for the conduct of meetings and member discussion at meetings. Unless a member of the board is absent, an alternate member may not make motions or cast a vote at a meeting. However, if a member of the board is absent, then at such meeting where the member is absent, an alternate may make motions and cast a vote in the stead of the absent member. In the event a regular member of a board is removed from office or vacates his or her office prior to the end of the appointed term, the alternate of said board, will automatically advance to the vacated position for the remainder of the regular term without additional action of the City Commission. If there is no alternate, the Mayor shall appoint subject to Commission approval.
- h. Exception to Automatic Advancement. If a vacancy occurs in a board position within sixty (60) days before the end of the term of the member, the position shall remain vacant until filled as part of the regular appointment process by which the Mayor shall appoint the member, subject to the approval of the City Commission, at the first Commission meeting in May of each year.
- i. Representation By Member of Third Parties. No member of a board shall represent a third party in any proceeding before such board to which the member belongs.
- j. Role and Responsibility of Members of Subsidiary Boards of the City of Winter Park. Members of subsidiary municipal boards shall have such authority as provided by law, including ordinances of the City of Winter Park and the City Charter. No member of a board shall exceed his or her delegated authority, and except to the extent Florida law or an ordinance or Charter provision expressly requires the board to perform an adjudicatory function as a quasi-judicial board, the function and duty of each subsidiary board and the

members of those boards is limited to acting in an advisory capacity only, by which the members of the various City boards are authorized to receive and gather information, attend board meetings, and apply their best efforts to render advice and recommendations to the Commission of the City of Winter Park in the interest of the City and its residents. Although City boards may make recommendations concerning provisions of the City Code, no member of a City board shall, by virtue of such office, have the authority to represent the City of Winter Park in any action to enforce the City Code or any provision thereof.

- k. Term In Office and Reappointment. Unless otherwise required by Florida Statutes or City Charter, each member of the City's boards shall have an initial term of three (3) years in office and may be reappointed to one (1) additional consecutive three (3) year term. Following a break in service of at least one (1) year, a former member may be appointed again to the same board subject to the limitation expressed herein, that the term shall be for three (3) years with an opportunity to be reappointed for one (1) three (3) year term immediately following the expiration of the initial three (3) year term. For good cause shown, the Mayor may waive this term limitation, subject to approval by majority vote of the Commission.
- l. Attendance, Participation By Telephone, and Procedures If There Is Lack Of A Quorum. Each member of a City board shall be automatically terminated from the board if the member misses three (3) consecutive meetings, or if the member is absent from more than fifty percent (50%) of the scheduled meetings of the board in any twelve (12) month period. Each member of a City board may participate in a meeting by telephone if he or she gives good cause for the need to appear by telephone, and in such instances the appearance by telephone shall be counted as the member being present at the meeting. However, a member participating by telephone may only vote if a physical quorum is present at the meeting, and votes and other action may not be taken at a meeting unless a quorum of members is physically present at the meeting. Notwithstanding, if a quorum is not physically present, the members who are in attendance may vote to adjourn the meeting for lack of a quorum. And, so long as a meeting is properly noticed and is in compliance with the requirements of the Sunshine Law, less than a quorum of a board may meet for purposes of discussion so long as there is no action or vote taken at such meeting.
- m. Evaluation Process. Each City board shall make provision for an annual self-evaluation process by which it and the individual board members are evaluated, and the activity and accomplishments of each board shall thus be annually evaluated and reported to the Commission. The City Manager shall work with the presiding officer or designee of each City board to insure that the report concerning the evaluation of each board member and each board is presented to the City Commissioner prior to the first day of April each year to insure that the information is available before the annual appointment of members at the first meeting in May of each year. The City Manager shall develop a standard City form and format for evaluations that will be used for

- each subsidiary board of the City. The City Manager shall recommend the evaluation instrument and format and the City Commission shall approve the same with such revisions as the Commission determines may be appropriate.
- n. Task Forces. The City Commission may, from time to time, establish a task force for the study of a particular issue. A task force established by the City Commission will have a limited scope of responsibility and will address only the issue or issues designated, and following the study of such matters shall report the findings of the task force to the Commission with recommendations. Unless otherwise established by the City Commission or extended by action of the Commission, no task force shall continue in existence beyond one hundred eighty (180) consecutive calendar days following the effective date of the decision, Resolution or Ordinance providing for the establishment of the task force.
- o. Sunset Of Boards Unless A Board Is Required By Statute Or Charter. Except for those boards that are required to be in existence pursuant to Florida Statute or City Charter, each City board shall sunset and terminate every five (5) years following May 1, 2011, unless the board is renewed by a majority vote of the Commission. This will allow the Commission to evaluate the effectiveness and need for the particular board on a regular basis. Notwithstanding this provision, any advisory board may be terminated at any time by a majority vote of the City Commission, unless such board is required by Florida statute or charter. The following quasi-judicial boards will not sunset: Board of Adjustments; Planning and Zoning; Construction Board of Adjustments and Appeals; Code Enforcement; Civil Service; Lakes and Waterways Advisory Board (to the extent it hears stormwater fees appeals); Historic Preservation Board (to the extent it acts in a quasi-judicial capacity with respect to recommendations for or against rezonings, demolitions, developments, lot splits, lot consolidations or conditional uses that could impact historic resources identified in the Florida Master Site File survey of the City of Winter Park, reviews applications for certificates of review for designated landmarks, resources and property within designated districts, or approves variances appropriate for the preservation of historic resources in conjunction with applications for certificates of review); and the Tree Preservation Board (to the extent it sits as a quasi-judicial board with respect to the consideration of applications for tree removal permits and appeals to the Tree Preservation Board from any denial of an application or any of the conditions attached to the approval of a tree removal permit, or to the extent it sits as a quasi-judicial board with respect to the recommendation of modification of building plans or variances regarding the preservation of protected trees, or the waiver of up to a maximum of five parking spaces for the purposes of preserving existing protected trees). Additionally, without first complying or satisfying legally imposed conditions, the Community Redevelopment Agency and the Housing Authority may not be abolished.
- p. Expenses and Reimbursement. No member of any board shall receive a salary or fee for service as a member. However, the City Manager may authorize reimbursement of necessary expenses for travel, per diem or other expenses if

the same are documented in advance and approved by the City Manager in writing in advance of the member incurring such expense while on official business for the City, it being a requirement that no expense will be reimbursable unless it is reasonably related to City business performed by a member of a subsidiary board of the City of Winter Park.

- q. Internal Rules of Conduct. Each board shall adopt such rules as are necessary to the conduct of its business. Each board shall elect a chair and vice chair from its membership on an annual basis. All meetings of the board shall be in accordance with the Sunshine Law, Section 286.011, Florida Statutes, and the records thereof shall be public records as required by Chapter 119, Florida Statutes, unless the record is specifically subject to a statutory exemption. The City Manager, City Attorney and/or a designated City staff member shall be reasonably available upon request to provide technical support and advice to assure each board that it is operating in conformance with the requirements of law. Each board shall be responsible to keep minutes of its proceedings as required by law, showing at a minimum the date, time and place of the meeting, members physically in attendance, appearing by telephone, and absent, and also showing each matter discussed, moved, and voted upon. The records of each matter voted upon shall show the vote of each member on each question, and those members absent or abstaining or otherwise failing to vote. All of such records shall be kept, and the minutes and records of official actions shall be public records and retained in the office of the City Clerk.
- r. Residency Requirement. Unless non-residency in the City of Winter Park is a requirement of the City Charter, Florida Statutes or Division Three hereof, the Mayor shall show preference to residents of the City of Winter Park for appointments to City boards.
- s. Provision Of Legal and Staff Services. To the extent not specifically mentioned in Division Three of this Chapter and Article, a subsidiary board of the City of Winter Park may request from the City Manager that the City Manager direct staff or the City Attorney to provide technical and legal support to the board with respect to such matter or matters that may be identified by the board.
- t. Frequency Of Meetings. Unless otherwise provided with respect to a specific board of the City of Winter Park, each board shall provide in its internal rules of procedure the frequency and schedule for its meetings. The board shall notify the City Clerk and City Manager in writing with respect to the schedule of meetings established by such board. Unless a board determines otherwise for good cause, it shall meet monthly. However, if it is not necessary to hold monthly meetings to conduct the business of the board, the board shall provide for an alternative schedule of meetings.

DIVISION THREE **Description of City Boards**

- a. Divisions One and Two Apply To All City Boards. Except as otherwise provided in this Division, the Charter, or Florida Statutes, the requirements

governing City boards stated in Divisions One and Two of this Article shall apply to each City board.

- b. Board of Adjustments. There is established within the City of Winter Park, pursuant to the provisions hereof, a Board of Adjustments, subject to the following provisions:

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two hereof.
- (2) Quasi-Judicial Proceedings. The Board of Adjustments shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Board of Adjustments is in accordance with the requirements of Florida law.
- (3) Authority. The Board of Adjustments shall have the jurisdiction to hear appeals in specific cases where an owner or authorized owner's representative requests a variance from sections of the Land Development Code. A request for variance shall be subject to the requirements of the public interest and the Land Development Code, and may be appropriate where, because of special conditions, an interpretation of the provisions of the Code relating to zoning or signs will result in an unnecessary hardship.
- (4) Incorporation Into Land Development Code. Subject to the provisions of this Article, the requirements and procedures in Chapter 58 of the City Code, including Article III thereof for zoning, shall apply to the conduct of the business of the Board of Adjustments. The Board of Adjustments shall comply with the City's Land Development Code, including the provisions concerning notice and procedures at Sections 58-91 and 58-92. By this reference this section is incorporated into the City's Land Development Code.

- c. Civil Service Board. There is established pursuant to the authority in Article 3, Section XIV of the Florida Constitution, and Section 4.07 of the City Charter, a Civil Service Board, subject to the following provisions:

- (1) Membership. Membership of the Civil Service Board shall be as provided in Section 74-52 of the City Code. The provisions of Divisions One and Two hereof shall apply to the extent those general provisions are not in conflict with Section 74-52 of the City Code. In the event of any conflict between Division One and Section 74-52, the provisions of Section 74-52 of the City Code shall control. The Civil Service Board shall have seven (7) members. Five (5) members shall be appointed by the City Commission in the manner provided in Divisions One and Two of this Article, and such appointees shall be persons of different vocations residing in the City who are not employed by the City. The remaining two (2) members shall be chosen, one (1) by the members of the police department and one (1) by the members of the fire department, according to election procedures set out in Chapter 74,

Article III, Section 74-51, et seq., of the City Code. The Chief of Police and Chief of the Fire Department shall be ex officio members of the Civil Service Board and shall be permitted to address matters in any proceeding, but shall have no vote. The terms of all civilian members of the Board will be three (3) years and each term shall commence on the third Tuesday in January. The terms of the police and fire department members shall be for one (1) year. The remaining details concerning membership are set out in Section 74-52 of the City Code.

- (2) Quasi-Judicial Proceedings. The Civil Service Board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Civil Service Board is in accordance with the requirements of Florida law.
- (3) Authority. The Civil Service Board shall have such authority and responsibility as set out in Chapter 74, Article III, Sections 74-51, et seq., of the City Code, which concerns the Civil Service Board, and shall abide by the procedural and substantive requirements set out in said sections in Chapter 74 relating to the Board. To the extent the general provisions in Divisions One and Two hereof are not in conflict with Chapter 74, then the provisions in Divisions One and Two shall control.

d. Code Enforcement Board. There is established within the City of Winter Park pursuant to Section 162.05, Florida Statutes, and by the authority of the City Commission, a Code Enforcement Board, subject to the following provisions:

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two hereof. Members shall be residents of the City. In accordance with subsection 162.05(2), Florida Statutes, the membership of the Code Enforcement Board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.
- (2) Quasi-Judicial Proceedings. The Code Enforcement Board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Code Enforcement Board is in accordance with the requirements of Florida law.
- (3) Authority. The Code Enforcement Board shall have such responsibility and jurisdiction to respond to such matters as are set out in Chapter 162, Florida Statutes, and any other provision in the City Code conferring quasi-judicial responsibility on the Code Enforcement Board, including without limitation false fire alarm appeals, Section 46-29(d) and those matters provided for in Sections 2-104 through 2-110 of the City Code. The Code Enforcement Board shall also serve as the Nuisance Abatement Board as provided in Section 2-81 of the City Code. In performing its function, the Code Enforcement Board shall be governed

by the procedures set out in Florida law and Sections 2-101, et seq., of the City Code.

The provisions in Divisions One and Two of this Article shall apply to the conduct of the Code Enforcement Board except for any provision thereof that conflicts with a provision in Sections 2-104 through 2-110 of the City Code, in which case the conflicting provision in Sections 2-104 through 2-110 shall control.

- e. Community Redevelopment Agency. There is established within the City of Winter Park pursuant to the provisions hereof, a Community Redevelopment Agency, subject to the following provisions:

- (1) Membership. Pursuant to Section 163.356, Florida Statutes, the term of office of the members of the Community Redevelopment Agency shall be for four (4) years, and the members are referred to as commissioners in said statute. The City Commission shall serve as five (5) commissioners on the Community Redevelopment Agency, and the County shall have the right to appoint the sixth (6th) commissioner to the Agency. The City Commission may remove a commissioner of the Community Redevelopment Agency for inefficiency, neglect of duty, or misconduct in office only after a hearing, and only if he or she has been given a copy of the charges at least ten (10) days prior to such hearing and has had an opportunity to be heard in person or by counsel, as provided in subsection 163.356(4), Florida Statutes. Otherwise, the provisions in Divisions One and Two of this Article shall govern the Community Redevelopment Agency.
- (2) Scope Of Authority. The Community Redevelopment Agency shall constitute a separate and distinct entity to the extent provided under Florida law, and shall have such powers as are provided to community redevelopment agencies as set out in Part III, of Chapter 163, Florida Statutes, Sections 163.330, et seq., relating to community redevelopment.

- f. Community Redevelopment Advisory Board. There is established within the City of Winter Park, pursuant to the provisions hereof, a Community Redevelopment Advisory Board, subject to the following provisions:

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two of this of this Article. Notwithstanding the general requirements stated in Divisions One and Two of this Article, the membership of the Community Redevelopment Advisory Board shall include a minimum of fifty percent (50%) residents and business owners within the Community Redevelopment Area subject to the jurisdiction of this Board.
- (2) Advisory Board. The Community Redevelopment Advisory Board is an advisory body and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the

City Commission concerning matters related to community redevelopment. The Community Redevelopment Advisory Board shall have no adjudicatory or enforcement authority.

- (3) Procedures. The procedures and rules for operation of the Community Redevelopment Advisory Board shall be in accordance with the general requirements stated in Division Two hereof.

g. Construction Board of Adjustments and Appeals.

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two hereof. The Construction Board of Adjustments and Appeals is a “local construction regulation board” as defined in Section 489.101(12), Florida Statutes, which means a board composed of not fewer than three (3) residents of the City, appointed to maintain the proper standard of construction within the City of Winter Park. To the extent reasonably possible, the Construction Board of Adjustments and Appeals shall include as members a practicing architect, a structural engineer, two licensed construction contractors, a master electrician, a master plumber, and a mechanical contractor or mechanical engineer. The alternate member of this Board shall also be licensed and employed or practicing in one of these trades. A member of the Board may be a nonresident when no qualified resident applies for the membership on the Board.
- (2) Quasi-Judicial Proceedings. The Construction Board of Adjustments and Appeals shall comply with the requirements of Florida law in the conduct of quasi-judicial proceedings in all matters deemed quasi-judicial, including appeals from the enforcement of any provision of an applicable building code, and a request for a modification of an order of the building official. Upon request, the City Attorney or City Manager will provide technical support and advice to the Construction Board of Adjustments and Appeals for purposes of conducting quasi-judicial proceedings in accordance with the requirements of Florida law.
- (3) Authority. The Construction Board of Adjustments and Appeals shall have the power to hear appeals of decisions and interpretations of the building official of the Florida Building Code as modified by the City of Winter Park, and shall also have the authority to suspend or revoke the certificate of competency or certification to provide services within the City of Winter Park of any contractor, including any specialty contractor doing work in the City who is found by the Construction Board of Adjustments and Appeals to be guilty of one or more of the following acts or omissions:
 - (A) Fraud or deceit in obtaining a certificate of competency.
 - (B) Negligence, incompetence, or misconduct in the practice of contracting within the meaning of the City’s Code, including its Land Development Code.

- (C) Willful and deliberate disregard of, or violation of the City's Code, including its Building Code, or of any state statute concerning contractor licenses.
- (4) Incorporation Into Building Code. The requirements and procedures set out in the City's Building Code (Chapter 22 of the City Code) shall apply to the conduct of the business of the Construction Board of Adjustments and Appeals. All activity of this Board shall be as set out in the City's Building Code, subject to the requirements of this Article. By this reference this section is incorporated into the City's Building Code.
- (5) Building Official and Procedures For Appealing Decisions Of the Building Official. The position of the building official of the City of Winter Park, the scope of his authority on behalf of the City, and the procedures for filing an appeal from a decision of the building official are established in the City's Building Code, Chapter 22 of the City Code.
- h. Economic Development Advisory Board. Pursuant to the authority of the City Commission, there is established within the City of Winter Park, an Economic Development Advisory Board, subject to the following provisions:
 - (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two of this Article. The Winter Park Chamber of Commerce President shall be requested to serve as a member of the Economic Development Advisory Board.
 - (2) Advisory Board. The Economic Development Advisory Board is an advisory board and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission concerning economic development. The Economic Development Advisory Board shall have the authority to establish other areas of interest that it deems relevant in the interest of the City of Winter Park and its residents with respect to quality and sustainable economic development consistent with the goals and objectives of the City of Winter Park and the Charter thereof. The Economic Development Advisory Board shall have no adjudicatory or enforcement authority.
 - (3) Procedures. The procedures and rules for operation of the Economic Development Advisory Board shall be in accordance with the general requirements stated in Divisions One and Two of this Article.
- i. Environmental Review Advisory Board. Pursuant to the authority of the City Commission, there is established within the City of Winter Park, an Environmental Review Advisory Board, subject to the following provisions:
 - (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two of this Article.

- (2) Advisory Board. The Environmental Review Advisory Board is an advisory board and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission concerning matters related to a sustainable quality environment within Winter Park, and shall inform, educate and advise the City, public and private organizations, and the City Commission, regarding matters and issues of importance with respect to maintaining and improving the environment of the City of Winter Park with respect to all of the natural resources within the City. Although other boards within the City may have interest in specific issues and matters related to natural resources, the Environmental Review Advisory Board shall have the responsibility to review and advise the City Commission with respect to all of the City's natural resources, with a special focus on matters that are of City-wide environmental concern or implication.
 - (3) Procedures. The procedures and rules for operation of the Environmental Review Advisory Board shall be in accordance with the general requirements stated in Divisions One and Two of this Article.
- j. Ethics Advisory Board. Pursuant to the City Charter, there is established within the City of Winter Park an Ethics Advisory Board, subject to the following provisions:
 - (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two of this Article.
 - (2) Advisory Board. The Ethics Advisory Board is an advisory body and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission concerning matters related to ethics in the governance of the City of Winter Park. The Ethics Advisory Board shall have no adjudicatory or enforcement authority.
 - (3) Procedures. The procedures and rules for operation of the Ethics Advisory Board shall be in accordance with the general requirements stated in Divisions One and Two of this Article.
- k. Historic Preservation Board. There is established within the City of Winter Park, pursuant to the provisions hereof, a Historic Preservation Board, subject to the following provisions:
 - (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in Divisions One and Two of this Article.
 - (2) With Exception This Is An Advisory Board. The Historic Preservation Board is generally an advisory board with exceptions. With respect to its advisory role, after receiving information it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, the Board shall give advice and recommendations to the City Commission related to historic preservation. As an exception to the

general rule that this is an advisory board, the City Commission may, by ordinance or resolution, assign a quasi-judicial function to this Board with respect to the approval of variances that are appropriate to the preservation of historic resources in conjunction with applications for certificates of review, and for other matters as determined by the City Commission in ordinance or resolution.

- (3) Quasi-Judicial Proceedings. To the extent the City Commission by ordinance or resolution shall provide the Board sits as a quasi-judicial body, then in such cases the Board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Board is in accordance with the requirements of Florida law. In such proceedings the Board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in the Land Development Code (Chapter 58) if applicable. The provisions hereof are deemed to be incorporated by reference into Chapter 58 of the City Code relating to historic preservation.
- (4) Functions, Powers and Duties Of the Historic Preservation Board. The functions, powers and duties of the Board shall be as set out in Section 58-446 of the City Code.

l. Housing Authority Board. There is established within the City of Winter Park pursuant to the provisions hereof, a Housing Authority Board subject to the following provisions:

- (1) Membership. The provisions of Division One of this Chapter and Article shall apply to the membership and means of appointment thereof, subject to the provisions in Chapter 421, including Section 421.05, Florida Statutes.
- (2) Independent Authority. The Housing Authority Board is an independent housing authority established pursuant to Chapter 421, Florida Statutes.
- (3) Declaration Of Need. Pursuant to Section 421.04, Florida Statutes, the City declares that there is a need for the establishment of the Housing Authority Board pursuant to the requirements and provisions of Chapter 421, Florida Statutes.
- (4) Authority and Scope Of Responsibility. The Housing Authority Board shall perform such duties and have such functions as are provided under Florida law for housing authorities, including those requirements specified in Chapter 421, Florida Statutes and rules promulgated by administrative agencies of the State of Florida pursuant to Chapter 421.
- (5) Incorporation of Divisions One and Two of this Article. The provisions of Divisions One and Two of this Article are incorporated herein, and shall apply except to the extent of any conflict with state law, in which event any conflicting provision of state law shall control.

m. Independent Personnel Review Board. There is established within the City of Winter Park, pursuant to the provisions hereof, an Independent Personnel

Review Board pursuant to the requirements in Section 4.05 of the City Charter and Chapter 74, Article II, Sections 74-26, et seq., of the City Code, subject to the following provisions:

- (1) Membership. The Independent Personnel Review Board shall consist of the five non-city employee members of the Civil Service Board.
- (2) Quasi-Judicial Proceedings. The Independent Personnel Review Board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law and Chapter 74, Article II, Section 74-26, et seq., of the City Code. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Independent Personnel Review Board is in accordance with the requirements of Florida law.
- (3) Authority and Responsibility. The duties and responsibility of the Independent Personnel Review Board are set out in Chapter 74, Article II, Sections 74-26, et seq., of the City Code and Section 4.05 of the City Charter. These provisions in the Code and Charter are incorporated herein and shall control the operation of this Independent Personnel Review Board.

n. Keep Winter Park Beautiful Advisory Board. Pursuant to the authority of the City Commission, there is established within the City of Winter Park, a Keep Winter Park Beautiful Advisory Board, subject to the following provisions:

- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provision in Divisions One and Two of this Article.
- (2) Advisory Board. The Keep Winter Park Beautiful Advisory Board is an advisory board, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission concerning matters related to the promotion of beautification and maintenance of the beauty of the City of Winter Park, including but not limited to advice regarding the maintenance and improvement of the appearance of the public spaces within the City. The Keep Winter Park Beautiful Advisory Board shall have no adjudicatory or enforcement authority. However, the Keep Winter Park Beautiful Advisory Board shall have the authority to develop and explore opportunities for fundraising and other awareness programs, but all of such opportunities shall be subject to the ordinances, resolutions and policies for such purposes established from time to time by the City Commission, and the Keep Winter Park Beautiful Advisory Board shall have no authority to commit or obligate the City with respect to the terms, conditions, or any other matters related to fundraising or commitments or agreements related to fundraising. The role and function of this Board with respect to fundraising is to explore opportunities and to give advice and make recommendations to the City Commission, and in all instances the City Commission shall be the

responsible entity to enter specific fundraising programs on behalf of the City of Winter Park.

- (3) Procedures. The procedures and rules for operation of the Keep Winter Park Beautiful Advisory Board shall be in accordance with the general requirements stated in Divisions One and Two of this Article.
- o. Lakes and Waterways Advisory Board. Pursuant to the authority of the City Commission, there is established within the City of Winter Park, a Lakes and Waterways Advisory Board, subject to the following provisions:
 - (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions of Divisions One and Two of this Article.
 - (2) With Exception This Is An Advisory Board. The Lakes and Waterways Advisory Board is an advisory board with one exception, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission related to the protection and improvement of the City's lakes and waterways, with the goal of fostering, maintaining and improving the public stewardship, protection, long-range planning and careful oversight of the implementation of improvement projects for lake and stormwater management. The City acknowledges that the lakes and waterways within the City are a natural resource of great significance. As an exception to the general rule that this is an advisory board, the City Commission may, by ordinance or resolution, assign a quasi-judicial function to this Board with respect to appeals of decisions related to stormwater fees.
 - (3) Quasi-Judicial Proceedings With Respect to Stormwater Fees and Appeals Thereof. To the extent the City Commission by ordinance shall provide that this Board will sit as a quasi-judicial body and consider appeals from decisions related to stormwater fees, then in such cases the Board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Board is in accordance with the requirements of Florida law. In such proceedings, the Board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in Chapter 102, Sections 102-156 through 102-164, as these provisions may be amended by the City Commission. The provisions hereof are deemed to be incorporated by reference into Chapter 102 of the City Code, relating to stormwater fees and appeals from decisions related to stormwater fees.
 - (4) Procedures. The procedures and rules for operation of the Lakes and Waterways Advisory Board shall be in accordance with the general requirements stated in Divisions One and Two of this Article, and in accordance with the requirements under Florida law for quasi-judicial

proceedings when the Board hears appeals from stormwater fee decisions if such appeals are referred to the Board pursuant to City ordinance or resolution.

- p. Parks and Recreation Advisory Board. There is established within the City of Winter Park, pursuant to the provisions hereof, a Parks and Recreation Board, subject to the following provisions:

- (1) Membership. The Parks and Recreation Advisory Board shall be established in accordance with the requirements in Divisions One and Two of this Article.
- (2) Advisory Board. The Parks and Recreation Advisory Board is strictly an advisory board and shall have no adjudicatory or enforcement authority. If any provision of the Code requires processing of any matter through the Parks and Recreation Advisory Board, then the purpose of such requirement is for the Parks and Recreation Advisory Board to consider the request and to give advice to the City Manager and the City Commission (if the matter will reach the City Commission). The purpose of such proceeding will not be quasi-judicial in nature.
- (3) Purpose and Duties. The Parks and Recreation Advisory Board shall promote the parks and recreation programs of the City and will guide, advise and recommend to the City Commission policies and actions regarding the promotion, planning, design, construction and utilization of City parks and recreation programs. The duties of the Parks and Recreation Board will generally be to:
 - (A) Advise and assist the City Commission, the City Manager and the various boards of the City in all matters involving or affecting parks and recreation.
 - (B) The Parks and Recreation Advisory Board shall recommend policies for the improvement, creation, use and maintenance of City parks and recreation programs.
 - (C) The Parks and Recreation Advisory Board shall recommend budgetary or special appropriations for parks and recreation programs.
 - (D) The Parks and Recreation Advisory Board shall recommend plans for the future growth, development, use and beautification of City parks.
 - (E) The Parks and Recreation Advisory Board shall periodically provide the City Commission the public regarding the programs and facilities related to parks and recreation.

- q. Pedestrian and Bicycle Advisory Board. There is established within the City of Winter Park, pursuant to the provisions hereof, a Pedestrian and Bicycle Advisory Board, subject to the following provisions:

- (1) Membership. The Pedestrian and Bicycle Advisory Board shall be established pursuant to the provisions in Divisions One and Two of this Article.
- (2) Advisory Board. The Pedestrian and Bicycle Advisory Board is an advisory board and shall have no enforcement or adjudicatory power or

responsibility. The provisions of Division One of this Chapter and Article shall apply with respect to the operations of the Pedestrian and Bicycle Advisory Board.

- (3) Function and Responsibilities. The Pedestrian and Bicycle Advisory Board shall meet and provide for its internal governance procedures as provided in Divisions One and Two of this Article. The responsibility of the Pedestrian and Bicycle Advisory Board shall be the following:

- (A) To receive information and following deliberation, make recommendations and give advice to the City Commission concerning opportunities for improvement, maintenance, construction and facilitation of pedestrian and bicycle traffic in the City of Winter Park.
- (B) The Pedestrian and Bicycle Advisory Board, following receipt of information and deliberation, shall determine ways in which pedestrian and bicycle utilization and traffic may be improved, enhanced and made more safe within the City of Winter Park.
- (C) Following the receipt of information and deliberation, the Pedestrian and Bicycle Advisory Board shall recommend to the City Commission ideas for promoting safe pedestrian and bicycle utilization in the City of Winter Park.
- (D) The Pedestrian and Bicycle Advisory Board shall provide education to the public and the City Commission concerning the current infrastructure for pedestrian and bicycle transport in the City of Winter Park and the ways in which that infrastructure may be used safely for the enjoyment and benefit of the citizenry.

- r. Planning and Zoning Board. There is established within the City of Winter Park, pursuant to Section 163.3174, Florida Statutes, and Section 58-3 of the City Code, a Planning and Zoning Board, subject to the following provisions:

- (1) Membership. The membership of the Planning and Zoning Board shall be appointed pursuant to the provisions in Divisions One and Two of this Article. Notwithstanding the general requirements in Divisions One and Two of this Article, consideration in the appointment process will be given such that if reasonably possible, the membership of the Planning and Zoning Board shall include a Florida licensed architect, a Florida licensed landscape architect, or a Florida licensed civil engineer.
- (2) Quasi-Judicial Proceedings. The Planning and Zoning Board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the Planning and Zoning Board is in accordance with the requirements of Florida law.
- (3) Authority and Responsibilities. The Planning and Zoning Board shall have such authority and responsibilities as are set out in the Land Development Code, including the provisions in Chapter 58 of the City Code, and Sections 58-88, et seq., of the Code. The procedures that the Planning and Zoning Board shall abide by are those set out in the City's

Land Development Code, subject to the requirements of Florida law with respect to quasi-judicial proceedings involving land use decisions. By this reference, this section is incorporated into the City's Land Development Code.

- s. Public Art Advisory Board. There is established within the City of Winter Park, pursuant to the provisions hereof, a Public Art Advisory Board, subject to the following provisions:
- (1) Membership. The Public Art Advisory Board shall be established in accordance with the requirements of Divisions One and Two of this Article. The procedures set out in Divisions One and Two of this Article shall control the operation of the Public Art Advisory Board, subject to the specific provisions hereinafter provided. If reasonably available, consideration shall be given to include in the membership of the Public Art Advisory Board an architect, including a landscape architect, an artist, a representative from a museum or art gallery, an experienced business person and a resident representative of the residential community.
 - (2) Advisory Board. The Public Art Advisory Board is an advisory board and shall have no adjudicatory or enforcement responsibilities or authority.
 - (3) Responsibilities and Function of the Public Art Advisory Board. The Public Art Advisory Board shall set out its rules for conducting business in accordance with the requirements of Divisions One and Two of this Article, and following the receipt of information and deliberation, the Public Art Advisory Board shall have the following responsibilities and scope of service:
 - (A) Following the receipt of data from various sources and deliberation, the Public Art Advisory Board shall provide advice and recommendations to the City Commission for the siting of public art, and in making these recommendations, the Public Art Advisory Board shall endeavor to perform visual inspections of sites to ascertain the physical, cultural and historical aspects of sites being recommended to the City Commission.
 - (B) The Public Art Advisory Board shall develop and facilitate a composite map identifying signature opportunities within the City for public art.
 - (C) The Public Art Advisory Board shall interview and recommend public art projects and assist in the selection of artists for possible public art projects, but in such respect, the action shall be strictly as an advisory board for the purpose of making recommendations to the City Commission.
 - (D) The Public Art Advisory Board shall develop a public arts action plan and recommend the same to the City Manager and City Commission for the implementation of educational and organizational opportunities related to and concerning public art.

- (E) The Public Art Advisory Board shall establish and maintain liaison with other public and private agencies involved with public art.
 - (F) The Public Art Advisory Board shall advise the City Commission and City Manager in all matters involving or affecting public art.
 - (G) The Public Art Advisory Board shall periodically inform the City Commission and the general public regarding programs involving public art within the City of Winter Park.
- t. Tree Preservation Board. Pursuant to the authority of the City Commission, there is established within the City of Winter Park, a Tree Preservation Board, subject to the following provisions:
- (1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions of Divisions One and Two of this Article. The membership shall include three of its members coming from other boards as provided in Section 58-283(d) of the City Code.
 - (2) With Exception, This Is An Advisory Board. The Tree Preservation Board is generally an advisory board with exceptions, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the City Commission related to the protection and improvement of the City's trees, with the goal of fostering, maintaining and improving the public stewardship, protection, long range planning and careful oversight of the implementation of improvement projects for the maintenance, preservation, growth and enhancement of trees within the City of Winter Park. The City acknowledges that its trees and tree canopy are a natural resource of great significance.

As an exception to the general rule that this is an advisory board, the City Commission may, by ordinance or resolution, assign a quasi-judicial function to the Tree Preservation Board. The provisions of this Article concerning general procedures applicable to City boards and this section concerning the Tree Preservation Board are incorporated by reference into Section 58-283. These quasi-judicial functions include the assignment, in Section 58-283 of the authority to hear and decide appeals from tree removal applications, appeals from conditions of approval for approved tree removal permits, appeals concerning a request for a waiver of parking spaces in multi-family residential and non-residential parking lots, and cases involving the modification of building plans or variances relating to the preservation of trees.

- (3) Quasi-Judicial Proceedings. To the extent the City Commission by ordinance provides that this Board has quasi-judicial authority, the Board shall conduct such quasi-judicial proceedings in conformance with the requirements of Florida law. The City Manager and City Attorney shall provide technical support and resources upon request to assure that this quasi-judicial activity of the Board is in accordance with

the requirements of Florida law. In such proceedings, the Board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in Chapter 58, as these provisions may be amended by the City Commission.

- u. Utility Advisory Board. There is established within the City of Winter Park pursuant to the provisions hereof a Utility Advisory Board, subject to the following provisions:

- (1) Membership. The Utility Advisory Board shall be established pursuant to the procedures in Divisions One and Two of this Article. To the extent reasonably possible, the membership shall consist of licensed professionals without conflict of interest who have expertise in the utilities and infrastructure for provision of utility services, or the legal and business aspects of providing the subject utility services to the customers of the municipal utility systems within the City of Winter Park. One member shall be a non-resident customer of the water and sewer utility.
- (2) Advisory Board. The Utility Advisory Board is an advisory board and shall have no enforcement or adjudicatory authority or responsibility.
- (3) Functions and Responsibility. The Utility Advisory Board shall organize itself and develop rules for procedure in accordance with the requirements of Divisions One and Two of this Article. Following the receipt of information and deliberation, the Utility Advisory Board shall advise the City Commission, City Manager and the management of the various utility service departments and authorities servicing the City of Winter Park regarding the following matters:
 - (A) The Utility Advisory Board shall make recommendations concerning opportunities for enhancement, expansion, maintenance, improvement and development of utility services within the City of Winter Park.
 - (B) The Utility Advisory Board shall make recommendations regarding improvements to safety and procedures in the provision of utility services within the City of Winter Park.
 - (C) The Utility Advisory Board shall make recommendations concerning the improvement of fiscal responsibility in connection with the provision of utility services, and will explore opportunities to make utility services available at a reasonable rate to the customers and residents of the City of Winter Park.

- v. Winter Park Firefighters Pension Board. There is established within the City of Winter Park a Firefighters Pension Board established pursuant to the requirements of Sections 74-153, et seq., of the City Code, subject to the following provisions:

- (1) Membership. The Board of Trustees of the Firefighters Pension Board shall be appointed pursuant to the provisions in Section 74-153, City Code
- (2) Responsibilities and Function. The Firefighters Pension Board shall operate in accordance with the requirements of Florida law and Sections

74-153, et seq., of the City Code as the Code relates to the Firefighters Pension Board and the duties and responsibilities of that Board.

- w. Winter Park Police Officers' Pension Board. There is established within the City of Winter Park a Police Officers' Pension Board established pursuant to the requirements of Sections 74-203, et seq., of the City Code, subject to the following provisions:

- (1) Membership. The Board of Trustees of the Police Officers' Pension Board shall be appointed pursuant to the provisions in Section 74-203, City Code.
- (2) Responsibilities and Function. The Police Officers' Pension Board shall operate in accordance with the requirements of Florida law and Sections 74-203, et seq., of the City Code as the Code relates to the Police Officers' Pension Board and the duties and responsibilities of that Board.

Section 3. Repeal And Amendments To The City Code, And Repeal Of Certain Ordinances And Resolutions. The following resolutions, ordinances and sections within the City Code are hereby repealed or amended, as stated hereinafter, to make the City Code consistent with the requirements of this Ordinance, and the City Code shall be so amended as of the effective date of this Ordinance, as follows:

- a. Repeal of Resolutions.
 - A. The following CRA Advisory Board Resolutions are hereby repealed: 0001; 0002.
 - B. The following Ethics Board Resolutions are hereby repealed: 2818-10; 2011-08; 1986-08.
 - C. The following Keep Winter Park Beautiful Board Resolutions are hereby repealed: 1977-07; 1555.
 - D. The following Lakes and Waterways Board Resolutions are hereby repealed: 1486; 876.
 - E. The following Parks and Recreation Commission (now identified as the Parks and Recreation Board) Resolutions are hereby repealed: 1949-06; 607; 582.
 - F. The following Pedestrian and Bicycle Board Resolutions are hereby repealed: 1950-06; 1806-02.
 - G. The following Utilities Advisory Board Resolutions are hereby repealed: 1716; 1492; 1465.
- b. Repeal of Ordinances and Code Section Provisions.
 - A. The following sections in Chapter 58, Article VIII, Division Two, are hereby repealed: Sections 58-441 through 58-445 (which concern the Historic Preservation Commission), and the following Ordinances relating to this subject are also repealed: 2688-06, 2446-01, and 2425-01.
 - B. The following sections in Chapter 66, Article II are hereby repealed: Sections 66-26 through 66-28 (which concern the Parks and Recreation Commission, now known as the Parks and

Recreation Board), and Ordinance number 2055, relating to this subject is also repealed.

- C. The following sections in Chapter 114, Article II are hereby repealed: Sections 114-31 through 114-34 (which concern the Lakes and Waterways Advisory Board).
- D. The following sections in Chapter 2, Article III, Division Five are hereby repealed: Sections 2-121 through 2-124 (which concern the Public Art Advisory Board), and Ordinances 2675-06; 2562-04; 2494-03; 2487-02, relating to this subject, are also repealed.

With respect to all Code sections that are repealed, the Sections at the end of a chapter shall be returned to the category of “Reserved” in the Municipal Code, and the remaining sections shall be renumbered in sequence, accordingly.

c. Amendment Of The City Code To Ensure Consistency With This Ordinance.

- A. Section 58-446 is amended to provide that the Historic Preservation Commission is now referred to as the Historic Preservation Board.
- B. The following sections concerning the Tree Preservation Board are amended as follows:
 - (1) Section 58-231 of the City Code is amended to provide that the Tree Preservation Board will consist of seven (7) members and one (1) alternate, and that the term in office shall be as provided in Division Two of this Chapter.
 - (2) The current language in subsection 58-283(d)(2) of the City Code is repealed, and the subsections that follow shall be renumbered accordingly.
 - (3) Section 58-283 is amended only to provide that the Board shall be referred to as the Tree Preservation Board.
- C. Section 22.29, which was previously reserved, shall now incorporate by reference the provisions of Chapter 2, Article III as established by this Ordinance, with respect to the provisions relating to the Construction Board of Adjustments and Appeals, the Building Official and any other matter pertinent to the Building Code.
- D. Section 58-3 shall now incorporate by reference the provisions of Chapter 2, Article III as established by this Ordinance, with respect to provisions relating to the Planning and Zoning Board, and all references to the Planning and Zoning Commission in the City Code shall be amended to refer to the Planning and Zoning Board.
- E. Section 58-91 shall now incorporate by reference the provisions of Chapter 2, Article III as established by this Ordinance, with respect to provisions relating to the Board of Adjustments, and all references to the Board of Adjustment in the City Code shall be amended to refer to the Board of Adjustments.

- F. Section 58-88 shall now incorporate by reference the provisions of Chapter 2, Article III as established by this Ordinance, and subsections 58-88(a), (b) and (c) shall be repealed, and the existing 58-88(d), which sets out functions, powers and duties shall be renumbered as 58-88(b), and subsection 58-88(a) shall be the subsection that refers to and incorporates Chapter 2, Article III with respect to membership, terms in office, removal, organization and expenses.
- G. Each provision in the City Code shall be amended, and shall be deemed to be amended upon the adoption of this Ordinance, to reflect and effectuate the names of the City Boards as established in this Ordinance, and to be consistent with the procedures for establishment and operation as set out in this Ordinance.

Section 4. Codification. Section 2 and, those parts of subsections 3.b. and 3.c. that amend or repeal parts of the City Code, shall be codified in the City Code as specified therein. Any section, paragraph number, letter or heading within the Code may be changed or modified as necessary to effectuate the codification. Grammatical, typographical and similar or like errors may be corrected in the Code, and additions, alterations and omissions not affecting a material substantive change in the construction or meaning of this Ordinance may be freely made.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.

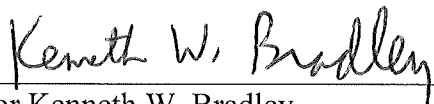
Section 6. Initial Terms In Office For Certain Boards Increasing To Seven Members. For each board that previously had fewer than seven members, the Mayor shall appoint additional persons, subject to Commission approval, so the board will have seven members, and the appointment and nomination of the additional members shall be in accordance with the procedures in Section 2 of this Ordinance that govern the appointment of members. If there will be an appointment of more than one new member to reach the seven member requirement, then the term of one of such persons newly appointed shall be two years for that person's first term.

Section 7. Nonresidents Currently Serving. A nonresident already serving on a board shall not be removed from office for reason of nonresidency until the completion of the term. The provisions of Section "r" of Section 2 of this Ordinance, concerning residency, shall be applicable to all appointees nominated after the effective date of this Ordinance.

Section 8. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.


Section 9. Effective Date Of Ordinance. This Ordinance shall become effective immediately upon adoption of the City Commission of the City of Winter Park, Florida.

Adopted by the City Commission of the City of Winter Park, Florida in a regular meeting assembled on the 13th day of June, 2011.



Mayor Kenneth W. Bradley

ATTEST:



Cynthia S. Bonham, City Clerk