

ORDINANCE NO. 2794-10

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ESTABLISHING A POLICY FOR THE AUTOMATIC ADVANCEMENT OF CITIZEN BOARD ALTERNATES TO REGULAR POSITIONS IN THE EVENT A REGULAR MEMBER OF THE BOARD VACATES HIS OR HER POSITION PRIOR TO THE EXPIRATION OF HIS OR HER TERM; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, EFFECTIVE DATE OF ORDINANCE AND AN EFFECTIVE DATE FOR THE APPROVED AMENDMENTS.

WHEREAS, the City Commission of Winter Park has established the following citizen boards: Code Enforcement Board, Planning and Zoning Commission, the Board of Adjustment and the Tree Preservation Board; and

WHEREAS, in addition to the regular members each of these boards has an alternate position that serves in the event a regular member is absent or has a conflict on an issue; and

WHEREAS, all members of these boards including the alternates are appointed to three year terms by the Mayor subject to confirmation by the City Commission in accordance with Section 2.06 of the City's Charter; and

WHEREAS, from time to time a regular member of a board vacates his or her position prior to the end of his or her term

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS

SECTION 1. Automatic Advancement of Alternate in the Event of Vacancy. In the event a regular member of the Code Enforcement Board, Planning and Zoning Commission, the Board of Adjustment or Tree Preservation Board is removed from office or otherwise vacates his or her office prior to the end of his or her appointed term, the alternate of said board will automatically advance to the vacated position for the remainder of that regular term without additional action of the City Commission.

SECTION 2. Exception to Automatic Advancement. If the vacancy described in Section 1 above occurs within 60 days of the end of said term the position will remain vacant until filled as part of the regular appointment process as set forth in Section 2.06 of the Charter.

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof or hereto.

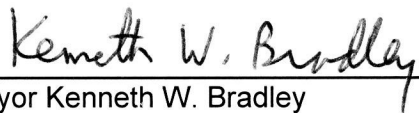
SECTION 5. Codification. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Winter Park, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; that the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6. Effective Date of Ordinance. This Ordinance shall take effect immediately upon its final passage and adoption.

FIRST READING this 11th day of January, 2010.

SECOND READING this 25th day of January, 2010.

PASSED AND ADOPTED this 25th day of January, 2010, by the City Commission of the City of Winter Park, Florida.



Mayor Kenneth W. Bradley

Attest: 

City Clerk Cynthia Bonham