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**ORDINANCE NO. 2014-02**

**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO TERM LIMITS FOR MEMBERS OF CITIZEN BOARDS; AMENDING SECTION 11.04.01 OF DIVISION 11.04.00 OF ARTICLE XI OF THE TOWN OF WINDERMERE'S LAND DEVELOPMENT CODE TO REMOVE THE SIX-YEAR TERM LIMITATION FOR MEMBERS OF CITIZEN BOARDS AND TO PROVIDE THAT MEMBERS OF CITIZEN BOARD MAY BE REAPPOINTED FOR SUBSEQUENT THREE-YEAR TERMS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Amendments to Article XI of the Land Development Code.** Section 11.04.01 of Division 11.04.00 of Article XI of the Town's Land Development Code is hereby amended as indicated by the addition of the underlined language and the deletion of the strike-through language:

**Sec. 11.04.01. Generally.**

All citizen boards created to administer this Land Development Code shall be governed by the following provisions:

(1) *Board membership and officers.*

- a. Each board shall have five or seven members, as stated by the town council and appointed by the town council.
- b. Each member shall reside in the town with the exception of the downtown business committee where each member shall reside in town or have a major interest in a local business in town.
- c. Each member shall be appointed to a three-year term, except that, initially, two members shall be appointed for a term of one year, three members shall be appointed for a term of two years, and two members shall be appointed for a term of three years. Members may be reappointed for subsequent three-year terms. ~~No person may serve more than two consecutive three-year terms, except as specified in subsection (a)(4) of this section. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.~~
- d. When a position becomes vacant before the end of the term, the town 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.
- e. Members may be removed without notice and without assignment of cause by a majority vote of the town council.

- 47 f. The town council shall annually appoint the chairperson.  
48 g. Each board shall create whatever subcommittees or ad hoc subcommittees  
49 it deems needed to carry out the purposes of the board.  
50 h. The majority of the board shall annually appoint the membership of each  
51 subcommittee from the members of the board. The chairperson of the  
52 board shall appoint the membership of each ad hoc subcommittee from  
53 members of the board, other residents and other interested parties. A  
54 majority of the members of any ad hoc subcommittee shall reside in the  
55 town.  
56 i. The town manager shall appoint a town employee to serve as secretary to  
57 the board, recorder and custodian of all board records. Other citizen  
58 boards shall appoint a member to serve as secretary to the board and  
59 recorder of all board records. This member shall provide all records to the  
60 town clerk, custodian of all board records, on a timely basis after their  
61 approval by the board.  
62 j. Members shall not be compensated, but may be paid for travel and other  
63 expenses incurred on board business under procedures prescribed in  
64 advance by the town council.  
65 k. The town council shall appropriate funds to permit each board to perform  
66 its prescribed functions.  
67 l. If any member fails to attend three successive meetings or carry out the  
68 requirements of their membership the board shall declare the member's  
69 office vacant and notify the town council.  
70 m. The town shall keep a file of interested volunteers which shall be  
71 consulted at the end of a member's term.

72  
73 (2) *Board procedures.*  
74

- 75 a. Each board shall adopt rules of procedure to carry out its purposes. All  
76 rules must conform to this Land Development Code, other town  
77 ordinances, and state law.  
78 b. Each board shall meet at least once each calendar month, unless cancelled  
79 by the board or its chairperson, and more often at the call of the  
80 chairperson or the town council. The historical preservation board is  
81 required to meet on a quarterly basis.  
82 c. Each board shall keep minutes of its proceedings, indicating the  
83 attendance of each member, and the decision on every question.  
84 d. A simple majority shall constitute a quorum.  
85 e. Each decision of a board must be approved by a majority vote of the  
86 members present at a meeting in which a quorum is in attendance and  
87 voting.  
88

89 **Section 2. Severability.** If any provision or portion of this ordinance is declared by a  
90 court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining  
91 provisions and portions of this ordinance shall remain in full effect.  
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93           **Section 3. Codification.** The amendments in Section 1 of this Ordinance shall be  
94 codified and made part of the official Land Development Code of the Town of Windermere.  
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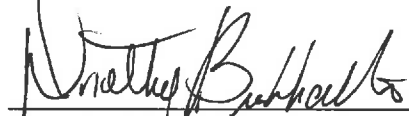
96           **Section 4. Effective Date.** This Ordinance takes effect immediately upon its enactment.  
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98           **ENACTED** this 22<sup>nd</sup> day of April, 2014, at a regular meeting of the Town Council of  
99 the Town of Windermere, Florida.  
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102           Town of Windermere, Florida  
103           by: Town Council

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106           by:   
107           \_\_\_\_\_  
108           Gary Bruhn, Mayor

108           Attest:

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111           \_\_\_\_\_  
112           Dorothy Burkhalter, CMC  
113           Town Clerk  
114

115           First reading: March 25, 2014  
116           Second reading: April 22, 2014

