

*DIVISION 1. GENERALLY*

**Sec. 2-191. Authority of city commission to appoint board members; term of office of board members.**

- (a) The city commission shall have the authority by majority vote to appoint members of the various city boards. Any resident or business owner of the city is eligible for board membership in accordance with City Charter Article V, Section 501. No person shall hold at the same time more than one (1) board appointment. All voting board members must be a minimum of eighteen (18) years old and:
- (1) A resident of the city; or
  - (2) The owner of a business with a physical location within the city and a business tax receipt issued by the city for operation at that city location.
- (b) The term of office of any board member shall expire on the date of the second regularly scheduled city commission meeting in April of every year. If no second regularly scheduled city commission meeting in April is held, board appointments shall expire on the date of the first regularly scheduled city commission meeting subsequent to the second meeting in April. Board members may be reappointed to their office.
- (c) Board members shall serve without compensation.
- (d) This section applies to all city boards, including, but not limited to the: civil service board, parks and recreation advisory board, and the planning and zoning board. For any board for which terms of office are fixed by Florida Statutes, the requirements of Florida Statutes shall supersede this section. Any regulation or provision of board members' terms of office that conflict with this section are specifically superseded by this section.

(Ord. No. 107-91, § 1, 2-28-91; Ord. No. 122-96, § 1, 5-9-96; Ord. No. 2019-033, § 2, 1-23-20; Ord. No. 2022-004, § 2, 3-24-22)

**Sec. 2-192. Authority of city commission to remove appointed board members.**

The city commission shall have the authority, by majority vote, to remove from office any duly appointed regular or alternate member of any city board prior to the expiration of the term of appointment, predicated upon good cause as determined by the city commission or for any of the following reasons:

- (1) Such person fails to maintain residency, business ownership and location within the city or other relevant qualification requirements ;
- (2) Such person fails to attend more than twenty-five (25) percent of the regular meetings of the board to which they have been appointed in any twelve (12) month period without providing notice of the anticipated absence to the city clerk forty-eight (48) hours in advance of the scheduled meeting;
- (3) Such person is convicted of a crime involving moral turpitude;
- (4) Such person violates any express prohibition of the City's Charter;
- (5) Abolition or termination of office pursuant to the provisions of the City's Charter, or specifically section 201(a) of the City's Charter.

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(Code 1980, § 2-121; Ord. No. 110-81, § 1, 7-23-81; Ord. No. 140-83, § 1, 7-26-83; Ord. No. 107-91, § 1, 2-28-91; Ord. No. 2019-033, § 2, 1-23-20)

Editor's note(s)—Section 1 of Ord. No. 107-91, adopted Feb. 28, 1991, renumbered § 2-191 as § 2-192 to allow for inclusion of a new § 2-191.

### **Sec. 2-193. Board vacancy.**

Vacancies of regular and/or alternate members of any board, commission or committee due to any reason whatsoever, shall be filled by the nomination of a person by the city commissioner who sits in the seat of the commissioner who made the original nomination of the vacating member. Such nominations shall be approved by the majority of the city commission in the same manner as for initial appointments. The length of term of the member filling a vacancy shall be the remainder of the original member's term. The appointing commissioner may appoint a new appointee or may re-nominate the prior appointee unless the vacancy occurred as a result of removal by the city commission pursuant to section 2-192 of the City's Code.

(Ord. No. 117-94, § 1, 3-10-94; Ord. No. 2019-033, § 2, 1-23-20)

### **Sec. 2-194. Newly elected commissioner.**

- (a) Should a commissioner fail to serve his/her term of office, and a successor is elected by the electorate to fill that unexpired term, all board members nominated by the commissioner that failed to serve his/her term of office shall continue in office until the expiration of the board member's term of office.
- (b) This section applies to all city boards, including but not limited to the: civil service board, parks and recreation advisory board, and planning and zoning board. Any regulation or provision on board members' term of office that conflict with this section are specifically superseded by this section.

(Ord. No. 117-95, § 1, 6-22-95; Ord. No. 122-96, § 2, 5-9-96; Ord. No. 2002-006, § 1, 5-9-02; Ord. No. 2019-033, § 2, 1-23-20; Ord. No. 2022-004, § 2, 3-24-22)

### **Sec. 2-195. Limitation of board chairperson.**

The chairperson of any advisory board in the city shall not be elected to a successive term as chairperson. This does not prohibit a chairperson from being re-appointed as a board member. This does not prohibit a chairperson from being elected as a vice-chairperson, or prevent a vice-chairperson from serving successive terms.

(Ord. No. 2002-006, § 1, 5-9-02)

### **Sec. 2-196. Board authority.**

- (a) Except as may otherwise be provided by the City's Codes, the powers and duties of each board are of an advisory nature only, and the board shall not have any powers or duties which conflict with or supersede the powers and duties of the city commission.
- (b) It is a specific intent of the city commission that the boards established by this Code shall have no power to incur financial liability in the name of the city nor shall any individual member of the board have the power to incur any financial liability in the name of the city.

(Ord. No. 2019-033, § 2, 1-23-20)

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**Secs. 2-197—2-205. Reserved.**