

ORDINANCE NUMBER 289

AN ORDINANCE AMENDING SECTIONS 160 AND 166, ARTICLE XVIII, OF THE CHARTER OF FRUITLAND PARK, FLORIDA, TO PROVIDE FOR THE NUMBER OF MEMBERS, APPOINTMENT, QUALIFICATION, AND TERM OF MEMBERSHIP OF THE PLANNING AND ZONING BOARD; PROVIDING FOR NOTICE OF ZONING CHANGES TO BE GIVEN IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA STATUTES; PROVIDING FOR THE REPEAL OF ALL PROVISIONS OF THE CHARTER IN CONFLICT WITH SUCH AMENDED PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE AFTER APPROVAL BY A MAJORITY OF THE CITY ELECTORS VOTING IN FAVOR OF THIS ORDINANCE.

WHEREAS, the Charter of the City of Fruitland Park, Florida, provides for the creation, membership, and term of the Planning and Zoning Board; and

WHEREAS, one of the members now required by the Charter is the Mayor-Commissioner; and

WHEREAS, it is the desire to substitute a citizen of Fruitland Park as a member of the Board for the Mayor-Commissioner; and

WHEREAS, the Charter is in conflict with notice requirements of the Florida Statutes when zoning changes are considered.

NOW, THEREFORE, be it ordained by the People of the City of Fruitland Park, Florida, that:

1. Section 160, Article XVIII, "Planning and Zoning Board," of the Charter of the City of Fruitland Park, Florida, is amended to read as follows:

"Sec. 160. Created; membership; term.

There is hereby created a board to be known as the "city planning and zoning board." Such board shall consist of not less than ~~three (3) nor more than~~ five (5) members, ~~one (1) of whom shall be the mayor-commissioner of the city or a member of the city commission of the city appointed by the mayor-commissioner~~ all of whom shall be residents of the City of Fruitland Park, Florida. The present members of the board, except for the Mayor-Commissioner, shall serve until the term of their existing appointments expire. Of the original appointees to such board at least two (2) shall be appointed for a term of two (2) years and the remaining member or members for a term of three (3) years. The service of the mayor-commissioner as ex officio member or the member of the city commission appointed by him shall terminate with his tenure in office. The successors of the original existing appointees shall be appointed by the City Commission for a term of three (3) years. Vacancies upon such board shall be filled by the city commission of the city for the unexpired term. The members of such board shall serve without pay, except the city commission may prescribe a per diem for attendance upon at meetings of the Planning and Zoning Board. A member of the Planning and Zoning Board may be removed from the Board by four (4) affirmative votes for removal by the City Commission."

2. Section 166, Article XVIII, "Public Hearings," of the Charter of the City of Fruitland Park, Florida, is amended to read as follows:

"Sec. 166. Public hearings.

That upon the submission to the city commission of maps and plans subdividing said city into districts or zones under the provisions of this act, it shall be ~~its duty~~ the duty of the City Commission, before adopting said subdivision into districts or zones, to give a public hearing, notice of the same to be published ~~once a week for two (2) weeks next preceeding such hearing in a newspaper of general circulation in Lake County, Florida,~~ as may be required by the laws of the State of Florida."

3. All provisions of the Charter of the City of Fruitland Park in conflict with the provisions set forth in paragraphs 1 and 2, above, are hereby repealed.

4. This ordinance shall be presented to the electors of the City of Fruitland Park, Florida, at a general election to be held on December 8, 1981, and shall not become effective until and unless a majority of the electors voting on this proposed ordinance shall vote in favor thereof.

This ordinance shall become effective upon its approval by majority of the electors voting on this proposed ordinance.

PASSED AND ADOPTED at the regular meeting of the City Commission of Fruitland Park, Florida, this 10th day of September, 1981.

David Mathews, Jr.
David Mathews, Jr., Mayor-Commissioner

ATTEST:

Nancy Eannarino
Nancy Eannarino
City Clerk

1st Reading 8/27/81
2nd Reading 9/10/81
Approved by 12/8/81
Electors _____

CODING:

Words that have been ~~stricken~~ are deletions from existing provisions; words underscored are additions.