



**TOWN OF HIGHLAND BEACH
ORDINANCE NO. 2021-005**

AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMITTEES," DIVISION 1, "GENERALLY," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 2-99, "PROCEDURE FOR APPOINTMENT AND FILLING OF VACANCIES; QUALIFICATION FOR MEMBERSHIP OF BOARDS AND COMMITTEES; TERMS," TO DEFINE THE RESIDENCY REQUIREMENTS TO SERVE ON TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to amend Chapter 2 of the Town Code of Ordinances to define the term resident as it applies to service on Town boards and committees, with relaxed requirements for purely advisory boards; and

WHEREAS, the Town Commission has determined that the amendments to the Code of Ordinances are in the best interest of the Town of Highland Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing facts and recitations contained in the preamble to this Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2. The Town Commission hereby amends Chapter 2, "Administration," of the Town Code of Ordinances by amending Division 1, "Generally," of Article V, "Boards and Committees," to read as follows (deleted language is ~~stricken through~~ and additional language is underlined):

ARTICLE V. BOARDS AND COMMITTEES

DIVISION 1. GENERALLY

* * *

Sec. 2-99. Procedure for appointment and filling vacancies; qualification for membership of boards and committees; terms.

(a) Except as otherwise provided in this Code, appointments to boards shall be filled by the town commission in accordance with the following procedure:

- (1) The chairperson of each board shall interview new applicants and reappointment applicants for the board and provide a recommendation to the town commission. Such recommendation shall be provided to the town clerk within a time frame so as to provide for the efficient appointment of board members.
- (2) The town commission shall interview board members who desire reappointment and/or new applicants, regarding the vacancy to be filled.
- (3) After the town commission has completed such interviews, it shall, in public session, select the person needed to fill such vacancy. A motion appointing a person to a town board shall require an affirmative vote of not less than a majority of the town commission.

(b) As a condition of eligibility for appointment and to serve as a member of any board, a person shall be a resident of the town and shall meet such other eligibility requirements as may be established by ordinance or resolution. A resident shall mean any person who is both domiciled within the corporate limits of the town and a qualified elector of the Town. For boards or committees that are purely advisory in nature and have no quasi-judicial authority, the commission may appoint up to two members who pay property taxes to the town irrespective of domicile or voter registration. ~~However, r~~ Residency in the town shall not be required for membership by any town employee on a board.

(c) A board member may become eligible for appointment to a different board by filing his/her conditional resignation with the town clerk, the effective

date of which resignation shall be immediately upon appointment to a different board.

(d) Unless otherwise provided in this article, the term for all boards shall be three (3) years and no board member may serve more than two (2) consecutive terms on the same board without first taking a one-year hiatus from the board. Appointments for partial terms shall not count toward the two-term limit.

* * *

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Codification. Section 2 of the Ordinance may be made a part of the Town Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 7. Effective Date. This Ordinance shall be effective immediately upon adoption at second reading and shall only apply prospectively.

The foregoing Ordinance was moved by Mayor Hillman, seconded by Commissioner David and upon being put to the vote, the vote was as follows:

VOTES:	YES	NO
Mayor Douglas Hillman	X	
Vice Mayor Natasha Moore	X	
Commissioner Peggy Gossett-Seidman	X	
Commissioner Evalyn David	X	
Commissioner John Shoemaker	X	

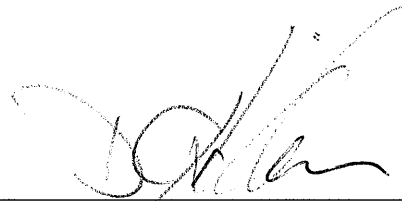
PASSED on first reading at the Regular Commission meeting held on this 4th day of May 2021.

The foregoing Ordinance was moved by Mayor Hillman, seconded by Commissioner David and upon being put to the vote, the vote was as follows:

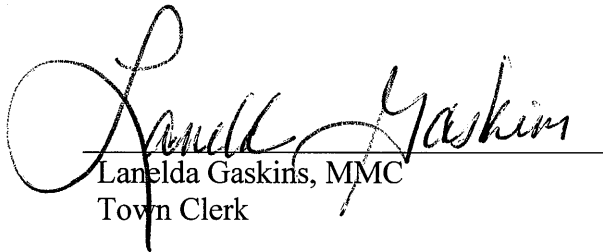
VOTES:	YES	NO
Mayor Douglas Hillman	X	
Vice Mayor Natasha Moore	X	
Commissioner Peggy Gossett-Seidman	X	
Commissioner Evalyn David	X	
Commissioner John Shoemaker	X	

PASSED AND ADOPTED on second and final reading at the Regular Commission meeting held on this 18th day of May 2021.

ATTEST:



Douglas Hillman, Mayor



Lanelda Gaskins, MMC
Town Clerk

**REVIEWED FOR LEGAL
SUFFICIENCY**



Glen Torcivia, Town Attorney
Town of Highland Beach