

**ORDINANCE NO. 2008-05**

**AN ORDINANCE OF THE TOWN OF GRANT- VALKARIA, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE I, DIVISION 2, SECTION 3-1 (c) (ii) OF ORDINANCE NO. 2007-07; RELATING TO ALTERNATE CODE BOARD MEMBERS; CLARIFYING WHEN ALTERNATE MEMBERS MAY VOTE AND BE COUNTED TO ESTABLISH A QUORUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** Section 3-1 (c) (iii) of Division 2 of Article I of Ordinance No. 2007-07 is amended to read as follows:

**“ARTICLE I. CODE ENFORCEMENT PROVISIONS**

**DIVISION 2. CODE ENFORCEMENT BOARD**

**Sec. 3-1 Enforcement Board creation and organization.**

• • •

(c) • • •

- (ii) The first and second alternate shall be counted to establish a quorum as the case may be. For example, if there are only ~~three~~ four voting members of the board present, the first alternate shall be counted to establish a quorum and he or she may also cast a vote. If there are only ~~two~~ three voting members present both the first and second alternate members shall be counted to establish a quorum and each may cast a vote.”

**SECTION 2. Severability.**

In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder of this ordinance shall not be affected and it shall be presumed that the Town Council of the Town of Grant-Valkaria did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 3. Conflicts.**

All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this Ordinance.

**SECTION 4. Effective Date.**

This Ordinance shall take effect thirty (30) days from its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, ON THIS 10<sup>th</sup> DAY OF DECEMBER, 2008.

(Signature on file)

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Del Yonts, Mayor

ATTEST:

(Signature on file)

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Susanne Krueger, Town Clerk

1<sup>ST</sup> READING: November 12, 2008

2<sup>ND</sup> READING: December 10, 2008