

TOWN OF GRANT-VALKARIA, FLORIDA

ORDINANCE NO. 2011-03

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, AMENDING SEC. 2 (c) OF ORDINANCE NO. 2007-04; RELATING TO ALTERNATE PLANNING AND ZONING BOARD MEMBERS; CLARIFYING WHEN ALTERNATE MEMBERS MAY VOTE AND USED 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.

Sec. 2 (c) of Ordinance No. 2007-04 is amended to read as follows:

“Sec. 2 Composition, appointment and terms of office.

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(c) The Council may also appoint up to two (2) alternates. These alternates shall be designated as alternate one (1) and two (2). Alternate one (1) will be the alternate with the most seniority of the two alternates. The alternate members shall regularly attend meetings of the planning and zoning board and shall have the right to participate in all public hearings and deliberations of the board. The alternates shall not normally cast a vote as a member of the board; provided, however, that:

- (i) In the event that an alternate is required to take the place of a regular voting board member, alternate one (1) shall be the first alternate to take the place of the absent regular voting member.
- (ii) An alternate member shall take the place of any absent regular voting member even if a quorum of the board exists. For example, if there is in attendance at a meeting only six regular voting members then alternate one (1) shall take the absent members place to fill the seventh voting slot and shall be entitled to cast a vote. If there are two absences then both alternates shall take the absent members place and both shall be entitled to cast a vote, and
- (iii) The eighth member appointed by the school board shall not be considered an alternate or counted for the purposes of establishing a quorum.”

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 in accordance with the Town Charter.

PASSED AND ADOPTED By The Town Council of The Town Of Grant-Valkaria, Brevard County, Florida, On This 23rd Day Of February, 2011.

(signature on file)

Del Yonts, MAYOR

ATTEST:

(signature on file)

Susanne Krueger, TOWN CLERK

First Reading: January 26, 2011
Second Reading: February 23, 2011

Roll Call Vote:	Del Yonts	<u>YES</u>
	Joe Hackford	<u>EXCUSED - ABSENT</u>
	Lisette Kolar	<u>YES</u>
	Dan Faden	<u>YES</u>
	Jason Mahaney	<u>EXCUSED-ABSENT</u>
	Pat Bryan	<u>EXCUSED-ABSENT</u>
	Cathy DeMott	<u>YES</u>