

ORDINANCE NO. 2021- _____

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING SECTION 103.03 (REGULATORY COMMISSIONS AND BOARDS) OF CHAPTER 103 (COMMISSIONS AND BOARDS) OF THE CODE OF INDIAN RIVER COUNTY IN ORDER TO INCLUDE AN ALTERNATE ON THE PLANNING AND ZONING COMMISSION; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:

Section 1. Enactment Authority.

Article VIII, section 1 of the Florida Constitution and chapter 125, Florida Statutes vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county. The Indian River County Board of County Commissioners specifically determines that the enactment of this ordinance is necessary to protect the health, safety and welfare of the residents of Indian River County.

Section 2. Amendment of Section 103.03 (Regulatory commissions and boards) of Chapter 103 (Commissions and boards).

New language indicated by underline, and deleted language indicated by ~~strike through~~.

Section 103.03 (Regulatory commissions and boards) of Chapter 103 (Commissions and boards) of the Code of Indian River County, Florida is hereby amended to read as follows:

CHAPTER 103- COMMISSIONS AND BOARDS

* * *

Section 103.03.- Regulatory commissions and boards.

1. *Planning and zoning commission.* There is hereby created a planning and zoning commission to carry out the procedures, duties, and functions set forth for it in the zoning ordinances. The board shall consist of seven (7) members and one alternate plus a school board representative designated and approved by the school board who shall be a non-voting member of the planning and zoning commission. Each county commissioner shall appoint one (1) member who must reside in that commissioner's district. The remaining two (2) members and the alternate shall be appointed from the public at large. The alternate shall be a

voting member of the planning and zoning commission in the event of the absence of one of the seven voting members. The board shall be the local planning agency for the county. All members shall be residents of the county.

* * *

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severability. If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

Section 5. Codification. It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

Section 6. Effective Date. This ordinance shall become effective upon adoption by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Indian River Press Journal on the 10th day of September, 2021, for a public hearing to be held on the 21st day of September, 2021, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman, Joseph E. Flescher	_____
Vice-Chairman, Peter D. O'Bryan	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

The Chairman thereupon declared the ordinance duly passed and adopted this 21st day of September, 2021.

**BOARD OF COUNTY
COMMISSIONERS OF INDIAN RIVER
COUNTY, FLORIDA**

By: _____
Joseph E. Flescher, Chairman

**ATTEST: Jeffrey R. Smith, Clerk
and Comptroller**

By: _____
Deputy Clerk

EFFECTIVE DATE: This Ordinance was filed with the Department of State on the ____ day of _____, 2021.