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**ORDINANCE NO. 2022-06**

**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, AMENDING SECTION 11.04.01 OF DIVISION 11.04.00 OF ARTICLE XI OF THE TOWN'S LAND DEVELOPMENT CODE ENTITLED "CITIZEN BOARDS" TO CHANGE THE MINIMUM AND MAXIMUM NUMBER OF MEMBERS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Legislative Findings.** Citizen boards and committees have requested flexibility for the maximum number of members. The Town Council desires to require a minimum number of five members and change the maximum restriction for seven members to be a number which is at the discretion of the board or committee.

**Section 2. Approval of Revisions to the Land Development Code.** Article Division 11.04.00 of Article XI of the Town's Land Development Code is amended as follows (strike through indicates deleted text, underline indicates added text):

**DIVISION 11.04.00. - CITIZEN BOARDS**

**Sec. 11.04.01. Generally.**

All citizen boards created to administer this Land Development Code shall be governed by the following provisions:

(1) Board membership and officers.

- a. Each board shall have a minimum of five members, and the maximum number of members shall be determined by each board ~~not exceed seven members, as stated by the town council and appointed by the town council.~~
- b. Each member shall reside in the town with the exception of the downtown business committee where each member shall be required to hold a current local business tax license.
- c. Each member shall be appointed to a three-year term, except that, depending on number of members, initially, two members shall be appointed for a term of one year, three members shall be appointed for a term of two years, and two members shall be appointed for a term of three years. Members may be reappointed for subsequent three-year terms.
- d. When a position becomes vacant before the end of the term, and if there are less than five members, the town council shall appoint a substitute member to fill the vacancy for the duration of the vacated term. If there are five or more members, the town council may appoint a substitute member to fill the vacancy for the duration of the

44 vacated term. A member whose term expires may continue to serve until a successor  
45 is appointed and qualified.

- 46
- 47 e. Members may be removed without notice and without assignment of cause by a  
48 majority vote of the town council.
- 49
- 50 f. ~~The town council shall annually appoint the chairperson.~~
- 51
- 52 g. Each board shall create whatever subcommittees or ad hoc subcommittees it deems  
53 needed to carry out the purposes of the board.
- 54
- 55 h. The majority of the board shall annually appoint the membership of the board. The  
56 chairperson of the board shall appoint the membership of each ad hoc subcommittee  
57 from members of the board, other residents and other interested parties. A majority of  
58 the members of any ad hoc subcommittee shall reside in the town.
- 59
- 60 i. Citizen boards shall appoint a member to serve as secretary to the board and recorder  
61 of all board records. This member shall provide all records to the town clerk,  
62 custodian of all board records, on a timely basis after their approval by the board.
- 63
- 64 j. Members shall not be compensated, but may be paid for travel and other expenses  
65 incurred on board business under procedures prescribed in advance by the town  
66 council.
- 67
- 68 k. The town council shall appropriate funds to permit each board to perform its  
69 prescribed functions.
- 70
- 71 l. If any member fails to attend three successive meetings without cause or carry out the  
72 requirements of their membership the board shall declare the member's office vacant  
73 and notify the town manager.
- 74
- 75 m. The town shall keep a file of interested volunteers which shall be consulted at the end  
76 of a member's term.

77 (2) Board procedures.

- 78 a. Each board shall adopt rules of procedure to carry out its purposes. All rules must  
79 conform to this Land Development Code, other town ordinances, and state law.
- 80
- 81 b. Each board will establish their own meeting frequency but shall meet at least once a  
82 quarter, unless cancelled by the board or its chairperson, and more often at the call of  
83 the chairperson or the town council.
- 84
- 85 c. Each board shall keep minutes of its proceedings, indicating the attendance of each  
86 member, and the decision on every question.
- 87
- 88 d. A simple majority shall constitute a quorum.

89  
90 e. Each decision of a board must be approved by a majority vote of the members present  
91 at a meeting in which a quorum is in attendance and voting.

92 (Ord. No. 91-6, § 3(11.04.01), 2-11-1992; Ord. No. 2006-12, § 1, 10-10-2006; Ord. No.  
93 2006-12, § 1, 10-10-2006; Ord. No. 2012-11, § 1(11.04.01), 12-11-2012; Ord. No. 2014-  
94 02, § 4-22-2014; Ord. No. 2018-06, § 1, 11-13-2018))

95 **Section 3. Inclusion in the Code.** It is the intent of the Town Council that the provisions of this  
96 Ordinance shall become and be made a part of the Town’s Land Development Code and that the  
97 sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be  
98 changed to “section,” “article,” or such other appropriate word or phrase to accomplish such  
99 intentions.

100  
101 **Section 4. Severability.** If any section, sentence, clause or phrase of the Ordinance is held to be  
102 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no  
103 way affect the validity of the remaining portions of this Ordinance.


104  
105 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
106 enactment.

107  
108 **APPROVED AND ADOPTED** by the Town Council of the Town of Windermere on  
109 the 9<sup>th</sup> day of August, 2022.

110  
111  
112 Town of Windermere, Florida  
113 By: Town Council

114  
115  
116 By:   
117 Jim O'Brien, Mayor

118  
119  
120 Attest:

121   
122  
123 \_\_\_\_\_  
124 Dorothy Burkhalter, MMC, FCRM  
125 Town Clerk  
126

127 First Reading: July 12, 2022  
128 Advertised: July 28, 2022  
129 Second Reading: August 9, 2022  
130



Serial Number  
22-02675W

# WEST ORANGE Times

West Orange Times  
Published Weekly  
Winter Garden , Orange County, Florida

COUNTY OF ORANGE

STATE OF FLORIDA

Before the undersigned authority personally appeared Lindsey Padgett who on oath says that he/she is Publisher's Representative of the West Orange Times a weekly newspaper published at Winter Garden , Orange County, Florida; that the attached copy of advertisement,

being a Notice of Public Hearing

in the matter of Public Hearing on August 9, 2022  
Ordinance 2022-06

in the Court, was published in said newspaper by print in the issues of 7/28/2022

Affiant further says that the West Orange Times complies with all legal requirements for publication in chapter 50, Florida Statutes.


\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.



Lindsey Padgett

Sworn to and subscribed, and personally appeared by physical presence before me, 28th day of July, 2022 A.D.

by Lindsey Padgett who is personally known to me.



Notary Public, State of Florida  
(SEAL)



Kimberly S. Martin  
Comm.: HH 282034  
Expires: July 25, 2026  
Notary Public - State of Florida

**NOTICE OF PUBLIC HEARING TO ADOPT ORDINANCE 2022-06**  
The Town of Windermere, Florida, proposes to adopt Ordinance 2022-06. The Town Council of Windermere, Florida, will hold a public hearing at the Town Hall located at 520 Main Street, Windermere, Florida, on Tuesday, August 9, 2022 at 6:00 P.M. (or as soon thereafter as the matter may be considered) to hold a public hearing on and to consider passage of the proposed Ordinance 2022-06, the title of which reads as follows:

ORDINANCE NO. 2022-06  
AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, AMENDING SECTION 11.04.01 OF DIVISION 11.04.00 OF ARTICLE XI OF THE TOWN'S LAND DEVELOPMENT CODE ENTITLED "CITIZEN BOARDS" TO CHANGE THE MINIMUM AND MAXIMUM NUMBER OF MEMBERS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard with respect to the proposed annexation.

This ordinance is available at the Town Clerk's Office, 614 Main Street, Windermere, Florida, for inspection. Due to Covid-19, in person appointments are required. Please contact Dorothy Burkhalter, Town Clerk, Town of Windermere, at 407-876-2563, ext. 5323 for an appointment or if there are any questions/concerns.

Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk at least 48 hours before the meeting.

Persons are advised, pursuant to Section 286.0105 of the Florida Statutes, that, if they decide to appeal any decision made by the Town Council at this public hearing, they may need to ensure that a verbatim record of the proceeding is made, which record should include testimony and evidence upon which an appeal is based.

July 28, 2022 22-02675W