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**ORDINANCE NO. 2016-22**

**AN ORDINANCE OF THE VILLAGE OF WELLINGTON,  
FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, 2-292  
ENTITLED "REMOVAL OF BOARD AND COMMITTEE  
MEMBERS"; PROVIDING FOR CONFLICT; PROVIDING  
FOR CODIFICATION; PROVIDING FOR SEVERABILITY;  
AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Article VI of Chapter 2 of Wellington's Code of Ordinances provides for the creation of and procedures for Wellington's various boards and committees; and

**WHEREAS**, Wellington's Council passed Ordinance No. 2011-10 providing for the procedure for removal of board and committee members;

**WHEREAS**, Wellington's Council passed Ordinance No. 2014-24 further clarifying the excused absences and amending the grounds for removal of board members for reasons other than absenteeism, removing the appeal process associated with the removal of a board member, and adding a provision relating to the ineligibility of the member to be reappointed for a period of two (2) years following the effective date of the removal; and

**WHEREAS**, all Wellington boards and committees, except as otherwise provided by law or ordinance, consist of seven regular members, five of whom are appointed by each individual Council member and two of whom are appointed at large by majority vote of the Council; and

**WHEREAS**, in order to ensure that Wellington's boards and committees operate efficiently, the Wellington Council has determined that revisions to the existing ordinance relating to excused absences and to correct a scrivener's error are necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA:**

**SECTION 1:** Section 2-292 (a) of Wellington's Code of Ordinances shall be amended to read as follows:

**Section 2-292. Removal of board and committee members.**

(a) *Removal based on absenteeism.* Active participation by members of the boards and committees is essential to the effectiveness of the board or committee operations. It is therefore necessary for members to attend the meetings as frequently as possible. As important as participation and attendance is, Wellington's Council understands that a member's activities and other obligations of either a personal or professional nature will on

1 occasion take precedence over their participation in board or committee  
2 activities. If a member recognizes they will not be able to fully and regularly  
3 participate in the board or committee meetings they should resign from the  
4 board or committee and allow the council to fill the vacancy created by their  
5 resignation. In order to maintain a standard of commitment from the  
6 members they shall be subject to removal from their position as a member of  
7 a board or committee under the following circumstances. Any member of a  
8 board or committee, during the course of their two-year term, who has three  
9 consecutive unexcused absences or four absences out of the last six  
10 meetings, whether excused or unexcused, from regular meetings shall be  
11 automatically removed as a member of the respective board or committee.  
12 For purposes of this section, the term "excused absence" shall mean: (i)  
13 illness of a board or committee member or other person for whom the  
14 member is a caregiver; (ii) death of a board or committee member's relative;  
15 (iii) observance of religious holidays; ~~and~~ (iv) compliance with a subpoena or  
16 other legal process; and (v) absence resulting from events reasonably beyond  
17 the control of the board or committee member. ~~—shall be ineligible for~~  
18 ~~reappointment to a board or committee for a period of two years following the~~  
19 ~~effective date of their removal.~~

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22 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this  
23 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
24 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of  
25 this Ordinance shall prevail to the extent of such conflict.

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27 **SECTION 4:** Should any section, paragraph, sentence, clause, or phase of this  
28 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision  
29 shall not affect the validity of this Ordinance as a whole as a whole or any portion or part  
30 thereof, other than the part so declared to be invalid.

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32 **SECTION 5:** This Ordinance shall become effective immediately upon adoption  
33 of the Wellington Council following second reading.

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35 **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016 upon first reading.  
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1 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016, on second  
2 and final reading.

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4 **WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
5 6 7 BY: _____	_____	_____
8 Anne Gerwig, Mayor		
9 10 _____	_____	_____
11 John McGovern, Vice Mayor		
12 13 _____	_____	_____
14 Michael Drahos, Councilman		
15 16 _____	_____	_____
17 Michael Napoleone, Councilman		
18 19 _____	_____	_____
20 Tanya Siskind, Councilwoman		

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24 **ATTEST:**

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26 BY: \_\_\_\_\_  
27 Rachel Callovi, Clerk  
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32 **APPROVED AS TO FORM AND**  
33 **LEGAL SUFFICIENCY**

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35 BY: \_\_\_\_\_  
36 Laurie S. Cohen, Village Attorney  
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