

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, SECTION 2-328(B) OF WELLINGTON'S CODE OF ORDINANCES ENTITLED "CREATION; QUALIFICATIONS" TO CLARIFY THE QUALIFICATIONS REQUIRED TO SERVE AS A MEMBER OF THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; 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, the Construction Board of Adjustment and Appeals is an important board for Wellington and fulfills the statutory requirements of Chapter 489 of the Florida Statutes and the requirements of Wellington's Code of Ordinances; and

WHEREAS, Subsection 2-328(b) requires that the members of Wellington's Construction Board of Adjustment and Appeals be composed of individuals who are knowledgeable and experienced in the technical codes and such members may include various professionals and trades such as architects, engineers and contractors; and

WHEREAS, the Village Council has at times found it challenging to fill all of the required seats on the Construction Board of Adjustment and Appeals and wants to clarify what qualifications are necessary to serve on the board in order to ensure that the board continues to operate efficiently.

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

SECTION 1: Section 2-328(b) of Wellington's Code of Ordinances is hereby amended to read as follows:

Section 2-328. Creation; qualifications.

- (a) The board shall consist of seven regular members. Appointments of members of the board shall be for a term of two years.
- (b) Such board members shall be composed primarily of individuals with knowledge and experience in the technical codes, ~~to include~~ being but not limited to: an architect, engineer, general contractor, electrical contractor, HVAC contractor, plumbing contractor, and any other contractor-licensed category.

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

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

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

PASSED this _____ day of _____, 2020 upon first reading.

PASSED AND ADOPTED this _____ day of _____, 2020 on second and final reading.

WELLINGTON

	FOR	AGAINST
BY: _____ Anne Gerwig, Mayor	_____	_____
_____ Michael Napoleone, Vice Mayor	_____	_____
_____ John McGovern, Councilman	_____	_____
_____ Michael Drahos, Councilman	_____	_____
_____ Tanya Siskind, Councilwoman	_____	_____

ATTEST:

BY: _____
Chevelle D. Addie, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie S. Cohen, Village Attorney