

ORDINANCE 1567

AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA AMENDING THE TEMPLE TERRACE CODE OF ORDINANCES CHAPTER 12, SECTION 12-72(A) TO CHANGE THE TERMS OF BOARD OF ADJUSTMENT MEMBERS FROM TWO (2) YEARS TO “UP TO THREE (3) YEARS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Whereas, the City of Temple Terrace is a municipal corporation organized and operating under the laws of the State of Florida; and

Whereas, the City’s Board of Adjustment is governed by Section 12-72, City of Temple Terrace Code of Ordinances; and

Whereas, the present requirement of two (2) terms for the City’s Board of Adjustment members has required the City to renew existing board members and/or recruit new board members too often; and

Whereas, changing the term from two (2) years to “up to three (3) years” will allow the City Council to appoint Board of Adjustment members less often and allow City Council to stagger appointments so that the terms of all the board members do not expire at the same time; and

Whereas, the City Council finds it in the best interest of the City to amend the City’s Code of Ordinances as described above and set forth in Section 2 below.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Temple Terrace, Florida, that:

Section 1. The foregoing “WHEREAS” clauses are incorporated herein and made a part of this Ordinance upon adoption hereof.

Section 2. Section 12-72(a) of the City of Temple Terrace Code of Ordinances is hereby amended to change the following language:

Sec. 12-72. - Board of adjustment.

- (a) Creation and membership.
 - (1) There is hereby created a board of adjustment (board or BOA) of the city, to consist of five (5) members appointed from among the electors of the city by the mayor and city council.
 - (2) Whenever possible in making appointments to the board, the city council shall seek a membership with diverse economic, geographic, social, and

occupational representation and, when possible, include members qualified or experienced in the fields of archaeology, architecture, architectural history, business ownership, construction, engineering, history, landscaping, law, local government, planning, and real estate. Whenever possible, board members should reside in different neighborhoods of the city and not be concentrated to one area of the city. Appointments should be based on demonstrated experience and interest in the fields of zoning, building construction, historic preservation, and other relevant disciplines.

- (3) City council may appoint up to two (2) alternate members to serve on the board in the absence of a regular board member. Whenever possible, the criteria set forth in paragraph (2) above should be considered when appointing alternate members.
- (4) None of the board members shall hold any other public office or position in the city. No board member should be an immediate family member of or reside in the same household as another board member.
- (5) The term of office for each board member shall be for ~~two (2)~~ up to three (3) years and no board member shall serve more than three (3) consecutive ~~two-year~~ terms. Board members shall serve until their successors are duly appointed.
- (6) Any board member may be removed from office by the city council for cause.
- (7) Board members shall receive no compensation for their service.
- (8) Any board member who fails to attend two (2) out of three (3) successive meetings without cause and without prior approval of the board chair will forfeit such appointment and the city council may promptly fill such vacancy.
- (9) Any vacancy which occurs shall be filled in accordance with the appointment procedure for the unexpired term, and if the remainder of the unexpired term is six (6) months or less, the appointee is eligible to serve three (3) additional ~~two-year~~ terms.

Section 3. If any part of this Ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts hereof shall continue to be in full force and effect.

Section 4. The provisions of this Ordinance shall become and be made a part of the Temple Terrace Code of Ordinances.

Section 5. All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in full force and effect, but all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall take effect immediately upon becoming a law.

Passed and adopted by the City Council of the City of Temple Terrace, Florida, this 6th day of August 2024.


(Corporate Seal)



X 

Andrew Ross, Mayor
Chair of the City Council

Attest:

X 
Cheryl A. Mooney
City Clerk

Approved As To Form & Content:

X 
Pamela Cichon
City Attorney