

ORDINANCE NO. _____

AN ORDINANCE TO AMEND
VARIOUS SECTIONS OF APEX TOWN CODE
RELATED TO RESIDENT ADVISORY BOARDS

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX AS FOLLOWS:

Section 1. The Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as strikethrough text:

Chapter 2; Article IV. – APEX ENVIRONMENTAL ADVISORY BOARD

Sec. 2-58. - Apex environmental advisory board.

- (d) *Terms.* **Except as provided in subsection (d)(2) of this section,** ~~M~~members shall be recommended by the mayor and appointed by the town council. Members shall be appointed for terms of two years, except for the youth representative who shall be appointed for a term of one year. No member of the environmental advisory board may serve more than three consecutive two-year terms with the exception of the youth representative who may serve no more than two consecutive terms. Vacancies shall be filled in **accordance with this section** ~~the same manner as original appointments,~~ except that such appointments shall be only for the length of the unexpired term.

(1) Membership recommendations made by the mayor shall be provided to the town clerk no less than 30 calendar days prior to the expiration of a membership term. In the event of a vacancy not resulting from the scheduled expiration of a membership term, mayor recommendations shall be provided to the town clerk no later than 30 calendar days after receipt of written notice of the vacancy from the town clerk.

(2) The town council may elect not to appoint an applicant recommended by the mayor, in which case the town council shall appoint another qualified applicant without further recommendation from the mayor. If no recommendation is provided by the mayor within the applicable timeframe established in subsection (d)(1) of this section, the town council may appoint a qualified applicant without a recommendation from the mayor.

Chapter 2; Article V. – CULTURE AND ARTS ADVISORY BOARD

Sec. 2-64. Appointment.

Except as provided in subsection (b) of this section, ~~A~~all members of the Culture and Arts Advisory Board (CAAB) shall be recommended by the mayor and appointed by the town council.

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- (a) Membership recommendations made by the mayor shall be provided to the town clerk no less than 30 calendar days prior to the expiration of a membership term. In the event of a vacancy not resulting from the scheduled expiration of a membership term, mayor recommendations shall be provided to the town clerk no later than 30 calendar days after receipt of written notice of the vacancy from the town clerk.**
- (b) The town council may elect not to appoint an applicant recommended by the mayor, in which case the town council shall appoint another qualified applicant without further recommendation from the mayor. If no recommendation is provided by the mayor within the applicable timeframe established in subsection (a) of this section, the town council may appoint a qualified applicant without a recommendation from the mayor.**

Sec. 2-65. – Terms.

All members shall be appointed for terms of two years, except for the youth representative who shall be appointed for a term of one year. No member of the Culture and Arts Advisory Board (CAAB) may serve more than three consecutive two-year terms with the exception of the youth representative who may serve no more than two consecutive terms. Vacancies shall be filled in **accordance with section 2-64** ~~the same manner as original appointments~~, except that such appointments shall be only for the length of the unexpired term.

Chapter 2; Article VI. – MULTIMODAL TRANSPORTATION ADVISORY BOARD

Sec. 2-74. Appointment.

Except as provided in subsection (b) of this section, ~~All~~ members of the multimodal transportation advisory board shall be recommended by the mayor and appointed by the town council.

- (a) Membership recommendations made by the mayor shall be provided to the town clerk no less than 30 calendar days prior to the expiration of a membership term. In the event of a vacancy not resulting from the scheduled expiration of a membership term, mayor recommendations shall be provided to the town clerk no later than 30 calendar days after receipt of written notice of the vacancy from the town clerk.**
- (b) The town council may elect not to appoint an applicant recommended by the mayor, in which case the town council shall appoint another qualified applicant without further recommendation from the mayor. If no recommendation is provided by the mayor within the applicable timeframe established in subsection (a) of this section, the town council may appoint a qualified applicant without a recommendation from the mayor.**

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Sec. 2-75. – Terms.

All members shall be appointed for terms of two years, except for the youth representative who shall be appointed for a term of one year. No member of the multimodal transportation advisory board may serve more than three consecutive two-year terms with the exception of the youth representative who may serve no more than two consecutive terms. Vacancies shall be filled in **accordance with section 2-74,** ~~the same manner as original appointments,~~ except that such appointments shall be only for the length of the unexpired term.

Chapter 15 - PARKS AND RECREATION

Sec. 15-1. - Parks and recreation advisory board- Duties; members.

- (d) *Terms.* **Except as provided in subsection (d)(2) of this section,** ~~M~~**m**embers of the **commission** shall be recommended by the mayor and appointed by the town council. Members shall be appointed for terms of two years, except for the youth representative who shall be appointed for a term of one year. No member of the parks and recreation advisory board may serve more than three consecutive two-year terms with the exception of the youth representative who may serve no more than two consecutive terms. Vacancies shall be filled **in accordance with this section** ~~the same manner as original appointments,~~ except that such appointments shall be only for the length of the unexpired term.

(1) Membership recommendations made by the mayor shall be provided to the town clerk no less than 30 calendar days prior to the expiration of a membership term. In the event of a vacancy not resulting from the scheduled expiration of a membership term, mayor recommendations shall be provided to the town clerk no later than 30 calendar days after receipt of written notice of the vacancy from the town clerk.

(2) The town council may elect not to appoint an applicant recommended by the mayor, in which case the town council shall appoint another qualified applicant without further recommendation from the mayor. If no recommendation is provided by the mayor within the applicable timeframe established in subsection (1) of this section, the town council may appoint a qualified applicant without a recommendation from the mayor.

Section 2. The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this Ordinance or future amendments as long as doing so does not alter the terms of this Ordinance.

Section 3. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, and the sections of this ordinance may be renumbered to accomplish such intention.

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Section 4. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Effective Date. This ordinance shall be effective upon adoption.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the ____ day of _____, 2026.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC
Town Clerk

APPROVED AS TO FORM:

Brian Meyer
Interim Town Attorney