

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 784

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA, AMENDING CHAPTER 20 OF THE TOWN CODE OF  
7 ORDINANCES BY AMENDING ARTICLE II, "PLANNING AND ZONING  
8 BOARD," TO MODIFY THE PROCEDURE FOR THE APPOINTMENT OF  
9 BOARD MEMBERS; PROVIDING FOR CODIFICATION, SEVERABILITY,  
10 CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER  
11 PURPOSES.

12  
13 WHEREAS, the Town Council wishes to amend the Town Code provisions  
14 governing the appointment of members to the Town's Planning and Zoning Board; and  
15

16 WHEREAS, the Town Council determines that the adoption of this Ordinance is in  
17 the best interests of the residents of the Town.

18  
19 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
20 TOWN OF JUNO BEACH, FLORIDA as follows:

21  
22 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and  
23 correct and are incorporated herein.

24  
25 **Section 2.** The Town Council hereby amends Chapter 20, "Planning," Article II,  
26 "Planning and Zoning Board," of the Town Code of Ordinances to read as follows  
27 (additional language is underlined and deleted language is ~~stricken through~~):

28  
29 **ARTICLE II. PLANNING AND ZONING BOARD.**

30  
31 **Sec. 20-23. Established; membership; terms and removal.**

32  
33 (a) *Establishment and membership.* A planning and zoning board  
34 is hereby established and shall consist of five members and one alternate  
35 members who shall be residents of the town. The alternate Alternate  
36 members shall act in the absence, disability, or disqualification of any  
37 regular member. No regular or alternate member of the board shall be an  
38 employee or elected official of the town.

39  
40 (b) *Terms.* ~~The term of each regular and alternate planning and~~  
41 ~~zoning board member serving as of the effective date of this ordinance shall~~  
42 ~~expire on March 31, 2008. Thereafter, the town council shall appoint all~~  
43 ~~regular and alternate members for one-year terms commencing on April 1<sup>st</sup>~~  
44 ~~and ending on March 31<sup>st</sup>~~ Members of the planning and zoning board,  
45 including the alternate member, shall serve one-year terms commencing on  
46 April 1<sup>st</sup> and ending on March 31<sup>st</sup> of each year.

1           (c) *Method of Appointment.* ~~Each member of the town council~~  
2 ~~shall nominate one member for appointment to the planning and zoning~~  
3 ~~board, subject to approval by vote of the town council. One alternate~~  
4 ~~member may be nominated by any member of the town council and shall~~  
5 ~~be appointed by vote of the town council.~~ The town council shall appoint the  
6 regular and alternate members to the planning and zoning board on an  
7 annual basis at the first town council meeting after the town general election  
8 and the swearing in of any newly elected mayor or council members.  
9

10           (d) *Removal.* Members of the board shall serve at the pleasure  
11 of the town council and may be removed by vote of the council with or  
12 without cause. Any board member who is absent from three (3) scheduled  
13 meetings during his or her term shall be sent, by hand delivery, a letter from  
14 the town manager notifying the member that he or she shall be removed  
15 from the board unless the member provides a written explanation for the  
16 absences within three (3) working days of receipt of the letter. If the member  
17 fails to provide such written explanation within the time allocated, the  
18 member shall be automatically removed from the board. If the member  
19 does provide such written explanation, the matter shall be forwarded to the  
20 town council to determine whether the member should be removed or  
21 retained.

22           (e) *Vacancies.* Vacancies shall be filled by the town council  
23 within 30 days to serve unexpired terms.  
24

25  
26 **Sec. 20-24. Duties.**  
27

28           The duties of the planning and zoning board shall be as assigned by  
29 the town council.  
30

31 **Sec. 20-25. Officers; procedures.**  
32

33           The planning and zoning board shall appoint its own chairman and  
34 vice chairman, as well as adopt such procedures as it deems necessary for  
35 the efficient conduct of its meetings which are to be conducted in public.  
36 Minutes of all such meetings will be kept and made a matter of public record.  
37 The town clerk's office shall perform all secretarial and administrative duties  
38 of the board.  
39

40 **Sec. 20-26. Meetings; quorum; vote required.**  
41

42           The planning and zoning board shall meet twice per month, unless  
43 cancelled by the town manager. Additional meetings shall be held at its  
44 own discretion, or if required of the board by the town council or the town  
45 manager. A quorum of three attending members shall be necessary for any

1 meeting, and a majority vote shall be required for all determinations of the  
2 planning and zoning board at any of its meetings.

3  
4 **Sec. 20-27. Use of services of town attorney and engineer.**  
5

6 The planning and zoning board may from time to tome utilize, in an  
7 advisory capacity only, the services of either the town attorney or the town  
8 engineer, subject to prior approval, in each instance, of the town manager.

9  
10 **Section 3.** The provisions of this Ordinance shall become and be made a part  
11 of the Code of the Town of Juno Beach, Florida. The sections of this Ordinance may be  
12 renumbered or relettered to accomplish such, and the word “ordinance” may be changed  
13 to “section,” “article” or any other appropriate word.

14  
15 **Section 4.** If any section, paragraph, sentence, clause, phrase, or word of this  
16 Ordinance is for any reason held by a court of competent jurisdiction to be  
17 unconstitutional, inoperative, or void, such holding shall not affect the remainder of the  
18 Ordinance.

19  
20 **Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach,  
21 Florida, which are conflict with this Ordinance, are hereby repealed to extent of such  
22 conflict.

23  
24 **Section 6.** This Ordinance shall be effective immediately upon adoption.

25  
26 FIRST READING this 28th day of February, 2024.  
27

28 SECOND, FINAL READING AND ADOPTION this 24th day of April, 2024.  
29

30  
31 \_\_\_\_\_  
32 AYE NAY PEGGY WHEELER, MAYOR

33  
34 \_\_\_\_\_  
35 AYE NAY DD HALPERN, VICE MAYOR

36  
37 \_\_\_\_\_  
38 AYE NAY MARIANNE HOSTA, VICE MAYOR PRO TEM

39  
40 \_\_\_\_\_  
41 AYE NAY JACOB ROSENGARTEN, COUNCILMEMBER

42  
43 \_\_\_\_\_  
44 AYE NAY DIANA DAVIS, COUNCILMEMBER  
45

1  
2  
3  
4  
5  
6  
7  
8

ATTEST:

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
CAITLIN COPELAND-RODRIGUEZ  
TOWN CLERK

\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY