

ORDINANCE 1075

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY, AS NECESSARY OR AT THE CALL OF THE CHAIRMAN; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the Civil Service Commission, although a very important board, does not have enough work to meet monthly; and

WHEREAS, City Administration inquired if the membership would object to amending the Code to meet quarterly as necessary or at the call of the chairman; and

WHEREAS, the membership had no objections, since it could meet more often if necessary or at the call of the chairman; and

WHEREAS, the City of Madeira Beach Board of Commissioners believe this amendment to the Code is in the public's best interest.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, as follows:

SECTION 1: That Chapter 2 (Administration), Article III (Boards, Committees, Commissions), Division 4 (Civil Service Commission), Section 2-127. (Organization), be amended to read as follows:

Sec. 2-127. Organization.

- (a) The civil service commission membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.

- (c) Members of the civil service commission shall be suspended or removed for cause upon the filing of written charges by the board of commissioners. A written charge shall not be issued except upon majority vote of the board of commissioners. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or be removed by majority vote of the board of commissioners.
- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the chairman, the civil service commission shall then declare the member's seat vacant and the board of commissioners shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairman from among its members who shall be voting members.
- (g) Members of the civil service commission shall meet ~~on the second Thursday of each month~~ quarterly, as necessary, or at the call of the chairman. All meetings of the civil service commission shall be public.
- (h) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.

(Code 1983, § 2-503, Ord 1075-4/25/06)

SECTION 2: The provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 3: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 4: That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.


PUBLISHED the 9th day of April, 2006. (City Charter 7.3b).

PASSED ON FIRST READING by the Board of Commissioners of the City of Madeira Beach, Florida, held on the 11th day of April, 2006.

ADOPTED ON SECOND READING AND PUBLIC HEARING this 25th day of April, 2006.

AYES: (5) Commissioners Alloway, Boos, Thomas, Wolbert and Mayor Parker
NAYS: (0)
ABSENT: (0)
ABSTAIN: (0)

APPROVED AS TO FORM



Michael A. Connolly
City Attorney



Charles H. Parker
Mayor

ATTEST:



Denise M. Schlegel
City Clerk



ST. PETERSBURG TIMES

Published Daily
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA } S.S.
COUNTY OF PINELLAS }

Before the undersigned authority personally appeared B. Stamper
who on oath says that he is Legal Clerk
of the Neighborhood Times - Beaches Edition

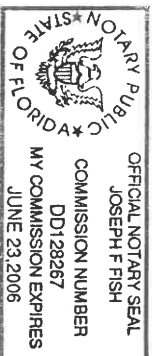
a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that the
attached copy of advertisement, being a Legal Notice
in the matter RE: Ordinances 1075, 1076, 1077, 1078, 1080, 1081

was published in said newspaper in the issues of April 9, 2006

Affiant further says the said Neighborhood Times - Beaches Edition
is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said
newspaper has heretofore been continuously published in said Pinellas County, Florida, each
day and has been entered as second class mail matter at the post office in St. Petersburg, in
said Pinellas County, Florida, for a period of one year next preceding the first publication of
the attached copy of advertisement, and affiant further says that he has neither paid nor
promised any person, firm, or corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant

Sworn to and subscribed before
me this 10th day of
April A.D. 2006



Notary Public

LEGAL NOTICE

**THE CITY OF MADIERA BEACH, FLORIDA,
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN:

- That the Board of Commissioners of the City of Madiera Beach will hold a Meeting to conduct the First Reading/Public Hearing on Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on TUESDAY, APRIL 11, 2006, at 7:00 P.M.
- That upon passage of Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on first reading, the Board of Commissioners of the City of Madiera Beach will conduct the Second and Final Reading/Public Hearing on TUESDAY, APRIL 25, 2006, at 7:00 P.M.

The title of said Ordinances are as follows:

ORDINANCE 1075 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY AS NECESSARY OR AT THE CALL OF THE CHAIRMAN, PROVIDING FOR SEVERABILITY, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 1076 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 26 (ELECTIONS); BY CREATING SECTION 26-6 (CANDIDATE WITHDRAWAL), TO REQUIRE THAT A QUALIFIED CANDIDATE THAT WITHDRAWS AFTER 5 WORKING DAYS OF THE QUALIFYING PERIOD SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE CREATION OF A NEW BALLOT, THE COST OF ABSENTEE BALLOT KITS, THE REMAINDING OF ABSENTEE BALLOTS, AND ANY PAID AND PREPAID POSTAGE ASSOCIATED WITH SUCH; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 1077 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER, ARTICLE III (ELECTIONS), TO ALLOW THE BOARD OF COMMISSIONERS TO DESIGNATE A CANNVASSING BOARD FOR EACH ELECTION TO CERTIFY ALL TESTS OF ELECTION EQUIPMENT AND CANVASS ABSENTEE AND PROVISIONAL BALLOTS; PROVIDING THAT THE PROPOSED AMENDMENT BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE BALLOT LANGUAGE TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION.

ORDINANCE 1078 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY AS NECESSARY OR AT THE CALL OF THE CHAIRMAN, PROVIDING FOR SEVERABILITY, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 1079 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 26 (ELECTIONS); BY CREATING SECTION 26-6 (CANDIDATE WITHDRAWAL), TO REQUIRE THAT A QUALIFIED CANDIDATE THAT WITHDRAWS AFTER 5 WORKING DAYS OF THE QUALIFYING PERIOD SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE CREATION OF A NEW BALLOT, THE COST OF ABSENTEE BALLOT KITS, THE REMAINDING OF ABSENTEE BALLOTS, AND ANY PAID AND PREPAID POSTAGE ASSOCIATED WITH SUCH; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

A copy of the for inspection between the hour through Friday. All persons are they make to 1 encouraged to Board of Comm individual to p public at large, any decision of matter consid of the proceed to ensure that is made, which evidence upon Florida Statute City of Madier Denise M. Sch 04/09/06