

## **ORDINANCE 18-34**

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA,  
AMENDING SECTION 109-20.1 OF DIVISION 2 OF THE LAND  
DEVELOPMENT CODE TO ADD TERM LIMITS FOR MEMBERS  
OF THE BOARD OF ADJUSTMENT AND APPEAL; AND  
PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, City staff reviewed Section 109-20.1 of Division 2 of the Land Development Code and has recommended that certain revisions are necessary to include term limits for members of the Board of Adjustment and Appeal; and

**WHEREAS**, the recommendations of staff have been found meritorious by the City Commission; and

**WHEREAS**, the City Commission has received input from the public at two public hearings.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Section 109.20.1 of Division 2 of the Land Development Code is hereby amended to read as follows:

### **Sec. 109-20.1 - Membership (Board of Adjustment and Appeal)**

There is established a board of adjustment and appeal. The board shall be composed of five citizens of the city appointed by the city commission. Each member shall be a resident of the city. No member shall be employed by the city or be engaged in regular business with the city. The members of such board shall serve without compensation, but shall be entitled to reimbursement of expenses incurred in the performance of their official duties. Members of the board shall serve for two-year terms. Beginning May 1, 2019, appointments for both regular and alternate members shall be for a term of three (3) years. The terms of the members shall be staggered so that three positions shall be available for reappointment in the following year. All appointments shall be for two-year terms [three (3) years beginning May 1, 2019] or the remainder of an unexpired term created by a resignation or other vacancy. No member, after completing their term and having served three (3) consecutive full terms of two (2) years [two (2) terms of three (3) years if appointed after May 1, 2019], shall be eligible for another term without first having sat off the Board of Adjustment and Appeal for one (1) year. Any member serving

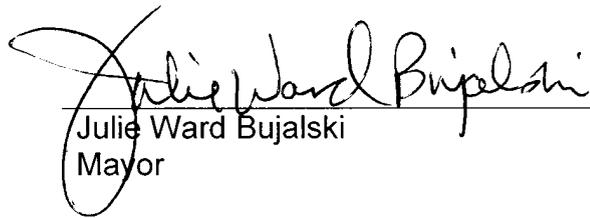
in 2018, who is termed out, may, however, serve one (1) additional term. The city commission shall also appoint two alternate members to the board. The alternate members shall be required to have the same qualifications as regular members. The alternate members shall be authorized to participate fully in the business of the board in the absence of a regular member. The chairman of the board shall select the alternate to replace the absent member.

If the city commission is unable to fill a vacant board member position with a new board member, it may waive the term limit restriction and reappoint the board member vacating the position for one (1) additional term.

Anyone interested in serving on the Board of Adjustment and Appeal must complete a City of Dunedin Application for Boards and Committees and attend at least one Board of Adjustment and Appeal meeting in order to be considered for appointment.

**Section 2.** That this Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 18th day of April, 2019.**

  
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Julie Ward Bujalski  
Mayor

ATTEST:

  
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Denise M. Kirkpatrick  
City Clerk

READ FIRST TIME AND PASSED: April 4, 2019

READ SECOND TIME AND ADOPTED: April 18, 2019