

INDIAN RIVER COUNTY ORDINANCE NO. 73 - 2  
AMENDING INDIAN RIVER COUNTY ORDINANCE NO. 71 - 3

An Ordinance to be entitled:

"An Ordinance amending Indian River County Ordinance No. 71 - 3; establishing the Indian River County Board of Adjustment; providing for the appointment of five members; providing for members' term of office providing for appointment in case of vacancy; providing for meetings, quorums and rules and providing an effective date.

WHEREAS, the Governor of the State of Florida under the authority of Chapter 21310, Laws of Florida, Acts of 1941 did appoint the original and successor members of the Indian River County, Florida, Board of Adjustment, and

WHEREAS, the Board of County Commissioners of Indian River County, Florida, under the authority of the Florida Constitution 1968 has repealed Chapter 21310, Laws of Florida, Acts of 1941, thereby necessitating the establishment of a new Board of Adjustment for Indian River County, and

WHEREAS, Florida Statute 125.01 authorizes the Board of County Commissioners to establish and enforce zoning regulations in Indian River County, and

WHEREAS, the Board of County Commissioners of Indian River County has determined that to properly enforce zoning regulations in Indian River County requires the establishment of a Board of Adjustment, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that Indian River County Ordinance No. 71 - 3 is hereby amended by adding the following Sections.

SECTION (B) ESTABLISHMENT, APPOINTMENT, TERMS, MEETINGS:

- (1) ESTABLISHMENT AND APPOINTMENT: There is hereby created a Board of Adjustment for Indian River County, Florida, to be composed of five members appointed by the Board of County Commissioners of Indian River County.

- (2) TERM OF OFFICE: The Board of Adjustment members shall serve a term of two years or until a successor is appointed and be removable by a three-fifths vote of the Board of County Commissioners. Vacancies shall be filled for the unexpired term of any member whose seat becomes vacant.
- (3) COMPENSATION: The Board of Adjustment members shall serve without compensation but shall be paid actual expenses incurred in the performance of their duties which expenses shall not exceed allowances as prescribed by state law.
- (4) MEETINGS: The Board of Adjustment shall organize and adopt rules in accordance with the provisions of any resolution or regulation of the Board of County Commissioners. Meetings of the Board shall be held at the call of the Chairman or Secretary or at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. Three members of the Board shall constitute a quorum and a majority vote of those present shall determine any issue before the Board.

This Ordinance shall become effective on the 7th day of February, 1973.