

ATTACHMENT "A"

CHAPTER 103. COMMISSION AND BOARDS

- § 103.01. General
- § 103.02. Provisions applicable to all to Commission and Boards
- § 103.03. Regulatory Commission and Boards
- § 103.04. Advisory Commission and Boards.
- § 103.05. Tourist Development Council

Section 103.01      General

The Board of County Commissioners will, from time to time, establish Commissions and Boards to advise the Board of County Commissioners and staff with respect to specific governmental action by making decisions on the disposition of certain matters coming before the Board or Commission. Commissions and Boards which give only advice are designated "Advisory". Commissions and Boards which give advice and take governmental action are designated "Regulatory".

Section 103.02      General provisions applicable to all Commissions and Boards

1. Terms, reappointment and vacancies. Unless specified otherwise, the regular term of office shall be two years. Members may serve until their successors are appointed. Members may be reappointed. Vacancies shall be filled for the unexpired term.
2. Number of members. All boards and commissions shall have five members each unless otherwise stated in the documents creating the board.
3. Appointment dates. All appointments shall be from the first meeting of that board in January of each odd-numbered year with the terms staggered so that the number of people appointed shall be equal or in proportion to the number of Commission seats normally filled in the previous election.

In order to effectuate this policy, the present terms of all commission and board members in office at the time of adoption of this code may be extended or shortened by resolution of the commission or the normal appointment terms may be shortened.

4. Removal. Members shall serve at the pleasure of the County Commission.

5. Absence of Members. Absence of any member from three consecutive meetings without approval of the commission or board on which he sits shall constitute an abandonment of the office by such member.
6. Serve in advisory capacity. Commissions and boards shall act only in an advisory capacity to the County Commission except as otherwise provided.
7. Compensation. Members shall receive no salary, but the County Commission may make provision for the payment of any expenses necessary to the proper functioning of the commission or board.
8. Meetings. Unless otherwise provided, all meetings shall be given public notice by the Executive Aide to the Commission, shall be open to the public, and shall generally be held in the County Commission Chambers, 1840 25th Street, Vero Beach. Unless provided by the Clerk of the Court or a Department secretary, the Executive Aide shall provide secretaries for all commissions and boards and shall keep minutes and a permanent record of their proceedings. A copy of the minutes shall be forwarded to the Board to the County Commission upon request.
9. Election of Officers. A county commissioner, if a member of a commission or board shall chair that commission or board; otherwise, each commission and board shall elect a chairman and a vice-chairman annually in the month of January, or at its next meeting if no meeting is held in January.
10. Rules of procedure. Each commission and board shall follow such appropriate rules of procedure as are set forth by this code for the County Commission and shall meet as necessary.
11. Quorum. A majority of members of any commission or board shall constitute a quorum.
12. Commission or board action. Any matter, motion, or application before any commission or board with five members or less must receive the affirmative vote of at least three members for passage. Any matter, motion, or application before any commission or board with more than five members must receive the affirmative vote of at least four members and a majority of those present for passage. Any matter, motion, or application which is voted on and which receives less than the number of votes required for passage shall be deemed to have been denied.

Section 103.03

Regulatory Commissions and Boards

1. Planning and Zoning Commission. There is hereby created a Planning and Zoning Commission to carry out the procedures, duties, and functions set forth for it in the zoning ordinances. The board shall consist of seven (7) members. The board shall be the Local Planning Agency for the County. All members shall be residents of the county.
2. Board of Zoning Adjustment. There is hereby created a Board of Zoning Adjustment to carry out the procedures, duties, and functions set forth for it in the zoning ordinances. All members shall be residents of Indian River County.
3. Building Code Board of Adjustment and Appeals. There is hereby created the Building Code Board of Adjustment and Appeals. The board shall consist of (7) members. The membership of the board shall to the extent practicable, consist of at least one architect, one engineer, one general contractor, and four (4) members with experience in the building industry. One member of the board shall be a representative of the board of the zoning adjustments.
4. Code Enforcement Board. There is hereby created the Indian River County Code Enforcement Board pursuant to authority and procedures of Chapter 162, Florida Statutes. The Board shall be constituted and have powers and responsibilities as set forth in Chapter 162, Florida Statutes.
5. Indian River County Environmental Control Board. There is hereby created the Indian River County Environmental Control Board pursuant to the authority and procedures of Chapter 85-427, Laws of Florida. The Board shall be constituted and have powers and responsibility as set forth in said laws of Florida. It shall appoint a five-member hearing board pursuant to and with powers provided by said Laws of Florida.

Section 103.04

Advisory Commissions and Boards

All advisory boards or commissions shall be created by resolution instead of by ordinance. The Executive Aide shall keep a current list of all advisory board resolutions with a current roster of their membership and shall provide notice and minutes for all meetings.

Section 103.05            Tourist Development Council

1. There is hereby established and appointed a County Tourist Development Council consisting of the Chairman of the Board of County Commissioners of Indian River County or another member of the Board of County Commissioners as designated by the Chairman; two (2) elected municipal officers, one of whom shall be from the most populous municipality in the County; three (3) owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations, within the County; and three (3) persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations. All members of the Council shall be electors of the County.
2. The members of the Council shall be appointed by the Board of County Commissioners of Indian River County and shall serve for terms of four (4) years.
3. The Chairman of the Board of County Commissioners of Indian River County or his designee who is a member of the Board of County Commissioners shall be the Chairman of the Tourist Development Council.
4. The Council shall, from time to time, make recommendations to the Board of County Commissioners for the effective operation of special projects or for uses of the tourist development tax revenue. The Council shall continuously review expenditures of revenues from the tourist development trust fund and shall receive, at least quarterly, expenditure reports from the Board of County Commissioners or its designee. Expenditures which the Council believes to be unauthorized shall be reported to the Board of County Commissioners and to the Department of Revenue. The Board of County Commissioners and the Department of Revenue shall review the findings of the Council and take appropriate administrative or judicial action to ensure compliance with Section 125.0104, Florida Statutes.