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**CITY OF BONITA SPRINGS, FLORIDA
ORDINANCE NO. 19-14**

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING SECTION 4-130 OF THE LAND DEVELOPMENT CODE TO ADJUST TERM LIMITS ON THE ZONING BOARD CHAIR; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter provides that the City Council shall have the broadest exercise of home rule powers permitted under the state Constitution and the laws of the state; and

WHEREAS, pursuant to the Article VIII of the Florida Constitution, the City of Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt ordinances necessary for the exercise of its powers in for health, safety, and general welfare; and

WHEREAS, the City Council has determined that it is in the best interests and welfare of the City of Bonita Springs and its residents to enact this Ordinance.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Recitals Adopted.

That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby incorporated as a part of this Ordinance.

Section 2. Amending Land Development Code

The Bonita Springs City Code is hereby amending Chapter 4 - Zoning, Article II – Administration, Division 4 – Zoning Board, Section 4-130 of the City's Land Development Code amending subsection (b) as follows:

Sec. 4-130. - Chair; vice-chair.

(a) The mayor shall appoint the chair and the zoning board shall elect a vice-chair from among its membership. The vice-chair is authorized to perform all duties of the chair in the absence of the chair.

~~(b) No person shall act as chair for more than two consecutive years.~~

1 (c) The chair shall preside over the proceedings of the board and shall be entitled to
2 participate fully in all discussions, to make and second motions, and to vote.

3 (d) The chair shall cause the board to prepare rules of procedure and amendments to
4 such rules, for approval by city council.

5 **Section 3. SEVERABILITY**
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7 The provisions of this Ordinance are severable, and it is the intention to confer the
8 whole or any part of the powers herein provided for. If any court of competent jurisdiction
9 shall hold any of the provisions of this Ordinance unconstitutional, the decision of such
10 court shall not affect or impair any remaining provisions of this Ordinance. It is hereby
11 declared to be the legislative intent that this Ordinance would be adopted had such
12 unconstitutional provision not been included therein.
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14 **Section 4. CONFLICTS OF LAW**
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16 Whenever the requirements or provisions of this Ordinance are in conflict with the
17 requirements or provisions of any other lawfully adopted City of Bonita Springs ordinance
18 or Florida Statutes, the more restrictive shall apply.
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20 **Section 5. CODIFICATION AND SCRIVENER'S ERRORS**
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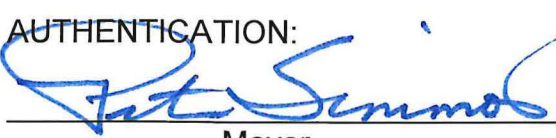
22 It is the intention of the City Council that the provisions of this Ordinance shall
23 become and be made part of the Bonita Springs Code; that sections of this Ordinance
24 may be renumbered or re-lettered and that the word "ordinance" may be changed to
25 "section", "article", or such other appropriate word or phrase in order to accomplish such
26 intention; and that any typographical errors which do not affect the intent may be
27 authorized by the City Manager without need of public hearing, by filing a corrected copy
28 with the City Clerk. It is further the intent of the City Council that the provisions of this
29 Ordinance may be modified as a result of consideration that may arise during public
30 hearing(s) and that such modifications shall be incorporated into the final version.
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32 **Section 6. EFFECTIVE DATE**
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34 The effective date of this ordinance shall be thirty (30) days from its adoption date.
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1 DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs,
2 Lee County, Florida, this 18th day of December, 2019.

3
4 AUTHENTICATION:

5 
6 _____
7 Mayor City Clerk

8
9 APPROVED AS TO FORM:



City Attorney

10
11 Vote:

12 Carr Aye Quaremba Aye
13 Forbes Aye Simmons Aye
14 Gibson Aye

15
16 Date filed with City Clerk: 12/27/19
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