

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NUMBER ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING SECTION 107.32, COMPOSITION; APPOINTMENTS; QUORUM; ABSENCE; OFFICERS; CONSTRUCTION OF ARTICLE, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARIES, GENERAL ORDINANCES, MARTIN COUNTY CODE TO INCREASE THE NUMBER OF MEMBERS AND TO REMOVE TERM LIMITS; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Martin County is authorized pursuant to Sections 1 and 6, Article III, Constitution of the State of Florida, and Chapter 125, Florida Statutes, to adopt ordinances; and

WHEREAS, the County desires to increase the number of members of the Library Board of Trustees from five members to nine members and to remove the term limits for members; and

WHEREAS, the Board has reviewed and approved the proposed change.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART ONE. AMENDMENT OF SECTION 107.32 COMPOSITION; APPOINTMENTS; QUORUM; ABSENCE; OFFICERS; CONSTRUCTION OF ARTICLE, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARY, GENERAL ORDINANCES, MARTIN COUNTY CODE.

Section 107.32.A. - Composition; appointments; quorum; absences; officers; construction of article is amended as follows:

107.32.A. The Martin County Library Board of Trustees shall consist of ~~five~~ nine members who are residents of the County, appointed at large by a Board of County Commissioners for staggered terms of three years each. They shall not be public office holders nor shall they be employed in the County library, nor be related to a library employee. Members may be reappointed ~~for one additional term of three years~~ upon completion of a full three-year term, in addition to serving the balance of an unexpired term appointment. The present members of the board shall serve until their current term expires. The Board of County Commissioners shall fill any vacancy now existing for such term (one, two, or three years) as is necessary to ensure that not more than one-third of the members' terms will expire in any one year. Five ~~Three~~ members shall constitute a quorum. Members shall be required to attend two-thirds of the regularly scheduled meetings in any 12-month period or they shall be dropped from membership.

~~Strikethrough~~ passages are deleted; underline passages are added.

PART TWO. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART THREE. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART FOUR. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable in the unincorporated area of Martin County.

PART FIVE. FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART SIX. EFFECTIVE DATE.

This ordinance shall take effect upon the filing with the Department of State.

PART SEVEN. CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code, except parts Two through Seven shall not be codified. The word "ordinance" may be changed to "section," "article" or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS ____ DAY OF _____, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

SARAH W. WOODS, COUNTY
ATTORNEY