

CITY OF SANIBEL

ORDINANCE NO. 19-008

AN ORDINANCE PERTAINING TO CHAPTER 2 OF THE SANIBEL CODE OF ORDINANCES ENTITLED "ADMINISTRATION," ARTICLE III, BOARDS, COMMITTEES, COMMISSIONS, DIVISION 2 - "PLANNING COMMISSION"; AMENDING SECTION 2-131 "RULES AND PROCEDURE" TO REVISE THE PLANNING COMMISSION SCHEDULE; PROVIDING FOR CODIFICATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Sanibel Code Section 2-131 "Rules and Procedures" pertains to the Planning Commission meeting schedule; and

WHEREAS, such Rules and Procedures currently require meetings at least once each month; and

WHEREAS, there are months in which there are no public hearings set before the Planning Commission, leaving no time-sensitive business to conduct; and

WHEREAS, out of respect for the Planning Commission's time, City Council finds it appropriate to amend the Sanibel Code to provide the Planning Commission flexibility to cancel any scheduled Planning Commission meeting, if there is no public hearing scheduled for such meeting;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sanibel, Florida:

SECTION 1. CHAPTER 2, entitled "ADMINISTRATION", Article III, Boards, Committees, Commissions, Division 2 – "Planning Commission", of the Sanibel Code of Ordinances is hereby amended to read as follows, with additions indicated by underlining and deletions indicated by strikeout, to read as follows:

Sec. 2-131. - Rules and procedures.

The planning commission shall schedule to meet at least once each month or more frequently at regular intervals to be determined by it, and at such other times as the chair or planning commission may determine. In the event there are no public hearings set for a particular meeting, the chair of the planning commission may, at his or her sole discretion, cancel such meeting. The planning commission ~~It~~ shall adopt rules for the transaction of its business. The rules may be amended from time to time, but only upon notice to all members that such proposed amendments shall be acted upon at a specified meeting. A majority vote of the planning commission shall be required for the approval of the proposed amendment. It shall keep a properly indexed record of its resolutions, transactions, findings and determinations, which record shall be a public record. All meetings of the planning commission shall be public.

SECTION 2. Codification. This ordinance shall be deemed an amendment to the Sanibel Code of Ordinances and shall be codified in the Sanibel Code of Ordinances as such an amendment. The City Clerk is hereby authorized and directed to instruct as part of the codification that all section numbers amended by this Ordinance are updated and corrected throughout the Code of Ordinances in the event such section numbers are referenced.

SECTION 3. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 5. Effective Date. This ordinance shall be effective immediately upon adoption.

DULY PASSED AND ORDAINED by the Council of the City of Sanibel, Florida, this 2nd day of October, 2019.

First Reading: September 9, 2019
Publication: September 19, 2019
Second Reading: October 2, 2019

AUTHENTICATION:



Kevin Ruane, Mayor



Pamela Smith, City Clerk

APPROVED AS TO FORM:  9/17/19

John D. Agnew, City Attorney Date

Vote of Council Members:

Ruane yea
Denham yea
Johnson yea
Maughan yea
Smith yea

Date Filed with City Clerk: October 2, 2019