

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES,  
ENTITLED "ADMINISTRATION," ARTICLE II,  
DIVISION 2 "PLANNING BOARD," BY AMENDING  
SECTION 90-61, TO AMEND THE REQUIREMENTS FOR  
SPECIAL MEETINGS FROM THREE TO FOUR MEMBERS;  
BY AMENDING SECTION 90-62, TO AMEND THE  
REQUIREMENT FOR A QUORUM FROM THREE TO FOUR  
MEMBERS; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT  
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 2 of the Code of Ordinances entitled  
"Administration," Division 2, Article V, "Uniform Procedures for  
Advisory Boards," Section 2-284 entitled "Quorum; procedures"  
states: "The next whole number of members above 50 percent of  
the advisory board members shall constitute a quorum. Each  
advisory board shall adopt procedures for the conduct of its  
meetings;" and

WHEREAS, to be consistent with the requirements of section  
2-284, the City Commission finds that it is necessary to amend  
sections 90-61 and 90-62, to amend the number of members  
required to constitute a quorum of the planning board; and

WHEREAS, amendments to sections 90-61 and 90-62 of the Code  
of Ordinances will promote the welfare of the citizens and  
visitors of the City of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,  
FLORIDA:

Section 1: That Section 90-61 of the Code of Ordinances  
is hereby amended as follows\*:

**Sec. 90-61. - Special meetings.**

Special meetings of the planning board may be called by the  
chairperson or by written notice signed by ~~three~~ four voting  
members. No official action shall be taken during any special  
meeting unless ~~three~~ four members concur.

Section 2: That Section 90-62 of the Code of Ordinances  
is hereby amended as follows\*:

**Sec. 90-62. - Quorum.**

~~Three~~ Four voting members of the planning board shall  
constitute a quorum for the transaction of business, but a  
smaller number may act only to adjourn meetings for lack of a  
quorum. The affirmative vote of a majority of the quorum shall  
be required to pass any action of the planning board.

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\*(Coding: Added language is underlined; deleted language  
is ~~struck through~~.)

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Filed with the Clerk \_\_\_\_\_, 2016.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK