

## ORDINANCE NO. 10-2021

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 54, HISTORICAL PRESERVATION, ARTICLE II, LANDMARKS PRESERVATION COMMISSION, SECTION 54-38(b); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** Chapter 54, Historical Preservation, Article II, Landmarks Preservation Commission, is hereby amended at Section 54-38(b), to read as follows:

*“Sec. 54-38. - Removal provisions; absences; conflicts of interest.*

*(b) In the event of excessive conflicts of interest during any one calendar year, the commission member shall be automatically subject to being removed from the commission by the town-Town Council Council upon the Council’s review and consideration of the matter. The Town Council shall have the sole discretion as to whether removal shall be required~~or, in the event of excessive conflicts of interest during any one term, a commission member may not be reappointed to a successive term.~~ Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis.*

**Section 2.** Severability. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

**Section 3.** Repeal of Ordinances in Conflict. All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

**Section 4.** Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

**Section 5.** Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach, Florida, on the First Reading this 12th day of May, 2021; and for the Second and Final Reading on this 9<sup>th</sup> day of June, 2021.

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Danielle H. Moore, Mayor

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Margaret Zeidman, Town Council President

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Bobbie Lindsay, Council President Pro Tem

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Julie Araskog, Town Council Member

ATTEST:

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Edward A. Cooney, Town Council Member

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Queenester Nieves, CMC, Town Clerk

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Lewis S.W. Crampton, Town Council Member