

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PERTAINING TO THE BREVARD COUNTY HISTORICAL COMMISSION; AMENDING CHAPTER 58 – HISTORICAL PRESERVATION, ARTICLE II. - HISTORICAL COMMISSION, SECTION 58-37. - MEMBERS; QUALIFICATIONS, TERM, METHOD OF APPOINTMENT., OF THE BREVARD COUNTY CODE; PROVIDING FOR RESOLUTION OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN AREA ENCOMPASSED; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES.

WHEREAS, Section 125.01(1)(f), Florida Statutes, provides county governments with the authority to provide historical commissions; and

WHEREAS, it is in the public interest that respect, understanding and preservation of our local history be encouraged through maintaining membership in a local historical commission; and

WHEREAS, the Board of County Commissioners of Brevard County desires to allow district commissioners to appoint residents to the historical commission who are knowledgeable in the history, cultural lore, and development of Brevard County regardless of the commission district in which they reside; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Brevard County, Florida, that:

SECTION 1. Recitals. The foregoing recitals are incorporated by reference into this Ordinance.

SECTION 2. Brevard County Code of Ordinances, Chapter 58 – Historical Preservation, Article II. – Historical Commission, Section 58-37. – Members; qualifications, term, method of appointment, is hereby amended, to read as follows below. Additions to the Code are underlined and deletions are stricken through.

Sec. 58-37. - Members; qualifications, term, method of appointment.

(a) The commission shall consist of 15 members, ~~consisting of three residents of each of the county commission districts of the county~~ appointed by the board of

county commissioners, with each district commissioner selecting three residents of Brevard County. The members shall be appointed for a term of two years or with the term of the commissioner making the appointment, whichever occurs first. A district commissioner's appointee may continue to serve after the expiration of the district commissioner's term until he or she is reappointed or until a new appointment is made. The members of the commission shall elect a chairman and vice-chairman each year.

(b) The terms of the members of the commission shall commence on January 1 of the year of their appointment and the members shall serve at the pleasure of the board of county commissioners.

(c) Any appointment to fill a vacancy shall be for the unexpired term only.

(d) In selecting citizens to serve on the commission, the board of county commissioners shall consider the interest of such citizens in the history and cultural lore and development of the county.

(e) The board of county commissioners may appoint such additional officers and employees to serve the commission as it shall deem necessary.

(f) The members of the commission shall receive no compensation, but shall be reimbursed for expenses incurred in the performance of their duties to the extent permitted by law.

SECTION 3. Conflict. All resolutions, ordinances, and agreements or parts thereof that may be determined to be in conflict with this ordinance are repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision and shall not be affected by such holding.

SECTION 5. Area Encompassed. This ordinance shall be applicable within the unincorporated areas of Brevard County.

SECTION 6. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. The ordinance shall take effect upon adoption and filing pursuant to law.

SECTION 7. Inclusion in Code. This ordinance shall be included and be made a part of the Code of Ordinances of Brevard County, Florida, and the sections of this ordinance may be re-numbered or re-lettered in order to conform to the format used in the Code of Ordinances.

DONE, ORDERED AND ADOPTED, in regular session, this 16th day of September, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk
(SEAL)

Rob Feltner, Chairman

As approved by the Board on 9/16/2025

Approved as to legal form and sufficiency:



Assistant County Attorney