

ORDINANCE NO. 2020 -

AN ORDINANCE AMENDING CHAPTER 34, ARTICLE 11, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, TITLED ART IN PUBLIC PLACES, SPECIFICALLY AMENDING SECTION 34-41 (b) AND (c), ESTABLISHING THE MEMBERSHIP AND QUALIFICATIONS AND TERMS OF APPOINTMENT OF MEMBERS OF THE ART IN PUBLIC PLACES ADVISORY COMMITTEE; DELETING THE BOARD OF COUNTY COMMISSIONERS REPRESENTATIVE FROM MEMBERSHIP; CHANGING THE TERM OF MEMBERS FROM ONE YEAR TO TWO YEARS; GRAMMATICAL CHANGES REGARDING COUNTY FACILITIES MEMBER; PROVIDING FOR NO TERM LIMIT FOR THE COUNTY FACILITIES MEMBER; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to change the term of the Board's appointees to the Arts in Public Places Advisory Committee from a one-year term to a two-year term; and

WHEREAS, the Board of County Commissioners desires to delete the representative or designee of the Board from the membership on the Arts in Public Places Advisory Committee (APPAC) and make grammatical changes regarding County Facilities director/designee member of the APPAC;

WHEREAS, there shall be no term limit for the County facilities director or designee as a member of the APPAC.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA THAT:

Section 1: Section 34-41 (b) and (c) of the Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(b) Membership and Qualifications: The Art in Public Places Advisory Committee (APPAC) shall consist of nine members appointed by the Board of County Commissioners to as follows: each county commissioner will appoint one member who must be a representative of one of the following professional fields: art, architecture, landscape architecture, art history or architecture history; three members who are representatives from the Brevard Cultural Alliance; and the county facilities director or designee.

(c) Terms of Appointment: Each member of the APPAC shall serve a two-year term. Notwithstanding Sec. 2-213 of the Brevard County Code of Ordinances, there shall be no term limit for the county facilities director, or designee, member.

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

Section 3: Conflicting Provisions. In the case of a direct conflict between any provision

of this ordinance and a portion or provision of any other appropriate federal, state or county, law, rule, code or regulation, the more restrictive shall apply.

Section 4: Effective Date. This ordinance shall take effect upon the adoption and filing, as required by law. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ORDERED in a regular meeting of the Board of County Commissioners, Brevard County, Florida, this ____ day of _____, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

Bryan Andrew Lober, Chair

As approved by the Board on: _____