



# City of North Port

## ORDINANCE NO. 2024-46

**An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 4-3 Regarding Qualifications of Boards and Committees; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.**

**WHEREAS**, Chapter 4, Article I, of the Code of the City of North Port, Florida (“City Code”) establishes uniform rules of procedure and governance of the meetings and conduct of the City’s advisory boards and committees; and

**WHEREAS**, Section 4-3 establishes the general qualifications for appointment to an advisory board and committee; and

**WHEREAS**, the City Commission desires to allow board members to serve on up to two advisory boards or committees, but in no instance shall any board member be permitted to serve in a capacity that would violate the dual office-holding prohibition in Article II, Section 5(a) of the Florida Constitution; and

**WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

### **SECTION 1 – FINDINGS**

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City’s website on or before the date the newspaper published notice of this ordinance’s final reading.

### **SECTION 2 – ADOPTION**

- 2.01 Chapter 4 of the Code of the City of North Port, Florida is hereby amended as follows:

**“Chapter 4 – BOARDS AND COMMITTEES**

...

**ARTICLE I. – BOARDS GENERALLY**

...

**Sec. 4-3. – Appointment, qualifications, term, and vacancies.**

(a) *Qualifications.*

...

(6) *Dual board service.* Board members may serve on up to two city boards, but in no instance shall any board member be permitted to serve in a capacity that would violate the dual office-holding prohibition in article II, section 5(a) of the Florida Constitution. ~~only one board, with the exception of ad hoc, task force, or special committees appointed by the city commission.~~

...”

**SECTION 3 – CONFLICTS**

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

**SECTION 4 – SEVERABILITY**

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

**SECTION 5 – CODIFICATION**

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

**SECTION 6 – EFFECTIVE DATE**

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on November 26, 2024.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on December 10, 2024.

CITY OF NORTH PORT, FLORIDA

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PHIL STOKES  
MAYOR

ATTEST

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HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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MICHAEL GOLEN, CPM  
INTERIM CITY ATTORNEY