

ORDINANCE 2014-08

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, RELATING TO BOARDS AND COMMITTEES; AMENDING CHAPTER 2, ARTICLE VIII OF THE CODE OF ORDINANCES OF THE TOWN; AMENDING DIVISION 1 BY CREATING SECTION 2-211 GENERAL PROCEDURES FOR APPOINTING MEMBERS TO BOARDS AND COMMITTEES; CREATING SECTION 2-212 OPEN MEETINGS, PUBLIC COMMENT AND AGENDAS; CREATING SECTION 2-213 RELATING TO AD HOC COMMITTEES; CREATING SECTION 2-214 RELATING TO PUBLIC MONIES; CREATING SECTION 2-215 RELATING TO STAFF SUPPORT FOR BOARDS AND COMMITTEES; AMENDING DIVISION 2, SECTION 2-221 RELATING TO THE PARKS AND RECREATION BOARD; PROVIDING FOR ITS ESTABLISHMENT AND PURPOSE; PROVIDING FOR ALTERNATE MEMBER DUTIES; CREATING DIVISION 3 SECTION 2-230 CREATING THE TRAILS AND GREENWAYS COMMITTEE; PROVIDING FOR THE ESTABLISHMENT AND PURPOSE; PROVIDING FOR DUTIES; CREATING DIVISION 4 SECTION 2-240 RELATING TO THE BOARD OF ADJUSTMENT; PROVIDING FOR THE ESTABLISHMENT AND PURPOSE; CREATING DIVISION 5 SECTION 2-250 RELATING TO THE PLANNING AND ZONING BOARD; PROVIDING FOR THE ESTABLISHMENT AND PURPOSE; AMENDING ARTICLE XII OF THE MALABAR LAND DEVELOPMENT CODE; DELETING SECTION 1-12.2A, AND SECTION 1-12.3A; AMENDING SECTION 1-12.3.C.4 RELATING TO DECISIONS OF THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:

SECTION 1. Chapter 2, Article VIII, Division 1 is hereby amended to add Sections 2-211, 212, 213, 214 and 215 to read as follows:

“Section 2-211. General Procedures for all Boards and Committees.”

Citizen participation is vital to a democratic government. The Town of Malabar recognizes the unique contributions made by volunteers and encourages involvement in the policy-making process through service as an advisory board member. Boards and Committees are standing bodies established by Town ordinance and appointed by the Town Council to provide ongoing board/committee recommendations to Town Council on diverse matters of public concern. Included are zoning, municipal planning, parks and recreation, trails and greenways, public art, historic preservation and building codes. Boards handle a variety of issues within a subject range; Committees are delegated to consider, report and take action on specific issues, such as Trails & Greenways. Ad Hoc committees are short term with a limited period and have a particular purpose, such as the Taxpayer Budget Review Committee or the SpringFest Committee. Ad Hoc committees are appointed on an as-needed basis and the committee sunsets once the purpose is served. They do not take a special action by Council to terminate.

(a) All appointments, whether regular member appointments, alternate member appointments or

appointments to fill any vacancies to any Town Boards or Committees is within the sole and absolute discretion of the Town Council. Applications for appointment are available in the Office of the Town Clerk and also on the Town's website. Completed applications shall be filed with the Town Clerk. The application shall be given to the respective Board or Committee for their review and recommendation to the Town Council. Such Board or Committee shall rank the applicants in order of preference, including the ranking of any alternates. The Town Council shall review the recommendation of the respective Board or Committee and make appointments as the Town Council desires. Nothing herein is intended to require the Town Council to accept any recommendation on such appointments from the respective Board or Committee. All Boards and committees shall have five (5) regular members presiding and two (2) alternate members. Both Alternates may participate in all discussion but only five members vote. The Alternate Members shall alternate voting in the absence of a regular Board member.

(b) Requirements for Board/Committee Membership: Board members should have the expertise necessary to accomplish the Board's objectives; a reputation for integrity and community service; interest or experience in the area of Board service desired. All Boards shall be comprised of Town of Malabar residents who have lived within the Town for a minimum of one (1) year immediately preceding their appointment. All members shall also be registered electors of the Town. Most Boards require financial disclosure; and if appointed to one of these Boards, Section 112.3145, Florida Statutes, requires that you file a Form 1, Limited Financial Disclosure, with the Brevard County Supervisor of Elections within 30 days of your appointment. All appointed Members shall also be administered the Oath of Office by the Mayor or presiding officer in the absence of the Mayor at the Council meeting of their appointment. All Board/Committee members shall serve without compensation. Any member may be removed from office for cause by the Town Council upon written charge and public hearing.

(c) The Term of Service for all Board/Committee regular and alternate members begins November 1 and ends October 31. The initial term of appointment will be based on the term remaining for that seat. Upon successful reappointment the renewing term for all Boards/Committees will be three years. If the appointment is to fill a standing vacancy, the term for all Boards/Committees will be three years. The terms are staggered for continuity as established by Resolution.

(d) Attendance: Most Boards/Committees meet monthly with meeting times varying in length according to agenda items to be addressed. A quorum is three members on all Boards except the Board of Adjustment. Regular attendance is required by regular members and alternates. If a

Board/Committee member's (regular or alternate) absences exceed 25% of the scheduled meetings in a Fiscal Year, (Oct. 1 – Sept. 30) the member is terminated **Board Secretary shall send memo to Clerk. Clerk will place item on next Council agenda for action on termination or special exception.** A Board member is considered absent if not present for at least 75% of a scheduled meeting.

(e) Vacancies: The Board/Committee shall find that a vacancy exists upon:

1. Receipt of a resignation in writing from one of its members or
2. Death, removal or disqualification or
3. Absence in excess of 25% of scheduled meetings within a fiscal year (Oct. 1 – Sept. 30) **Only Council can declare the seat vacated.**

(f) Each Board/Committee shall elect its Chair and Vice-Chair from among its members annually at the first meeting in November. The term will begin on the date of appointment and run for one year. The Chair shall set the agenda and facilitate the meeting. The Vice-Chair shall act in the absence of the Chair.

(g) Reappointments: Board/Committee Members whose terms are expiring may submit an application for reappointment no later than September 1, 2014. The Clerk will place the Board appointments on the second meeting agenda in October for Council action. Once the appointments are made, the members will take their seat at the first meeting in November. Appointees may be administered the Oath of Office either at the Council meeting when they are appointed or at a subsequent Council meeting.

Section 2-212. Open meetings, public comment and agendas. All meetings of any advisory board or committee created by the Town Council to assist in the council's decision-making process, including committee and subcommittee meetings of such boards or committees are declared to be public meetings and open to the public at all times. Open meetings of advisory boards and committees shall be governed by the following standards:

(1) The minutes of such meetings shall be recorded by a recording secretary who is a member of staff and shall be promptly made available for public inspection.

(2) Reasonable notice must be given to the public of the time and place of such meetings. Responsibility for providing such notice is delegated to the staff person assigned to assist the advisory board or committee and act as their secretary.

(3) Each advisory body shall allow for public comment at the beginning and end of all meetings.

(4) The Advisory Board/Committee Chair along with the assigned staff member shall prepare the meeting agenda and any back-up material which shall be made available for inspection during regular business hours prior to each meeting.

(5) All Boards/Committees shall use Robert's Rules as a guide in meeting protocol.

Section 2-213. Ad hoc committees. From time to time the Town Council may establish ad hoc committees which are designed to assist the town council in its decision making process on limited topics and issues. Such committees are designed for a limited purpose and duration and can be dissolved or inactivated by the town council at any time. Such committees shall be governed by the provision of this Division. Such committees are not quasi-judicial authorities. There are no durational residency requirements for appointments to any ad hoc committee; however, members shall be residents of the town. The town council shall have the sole discretion to determine the number of members and make up of such committees.

Section 2-214. Spending authority for boards and committees. At no time shall any Boards or Committees, except for the Town Council, have any authority to independently authorize the expenditure of public funds. The Town Council may, from time to time, budget public funds for such boards or committees; however, such board or committee may only advise or recommend to the town council projects or purposes for the expenditure of such funds. The authority to expend any such funds and the purpose of the expenditure rests solely with the Town Council. The Town Council may authorize Town staff to expend such funds for any project or purpose recommended by such board or committee. Any such expenditure shall be logged on an expense report. At no time shall expenditures exceed the amount authorized by the Town Council unless such excess expenditure has been authorized by the Town Council.

Section 2-215. Staff Support for Boards and Committees. The Town shall provide to every Board/Committee necessary technical and administrative assistance as follows:

1. Preparation and posting of public notices as required by Florida Statute, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the Town Council;
2. Provision of a meeting room including any necessary audio/visual equipment;
3. Preparation and copies of any documentary meeting materials requested by the Board to assist in their evaluation and review of subject project;
4. Staff research and background on land use issues in front of Planning and Zoning Board are invaluable to Board members not familiar with the pertinent laws, ordinances, regulations, policies and practices. Effective Staff/Board relations are vital to the overall success of planning decisions.
5. Attendance of all meetings by Staff and Consultants as appropriate in order to report on the status of projects and compliance with State and local regulations;
6. Retention of all Board records, and providing public access to same.”

SECTION 2. Chapter 2, Article VIII, Division 2, Section 2-221 of the Malabar Code of Ordinances is hereby amended to read as follows:

“Section 2-221 Establishment and Purpose of Park and Recreation Board. (a). *Establishment and Purpose.* The Park and Recreation Board is hereby established and shall consist of five (5) seats and two (2) alternate-seats. The Park and Recreation board is advisory in nature. Members of the Board shall hold no other Town office. The affirmative vote of a majority of the regular and alternate board members present and voting (maximum of five votes) shall be necessary for the adoption of any motion.

It is the purpose and intent of the Town Council to authorize an advisory board to discuss matters relating to the acquisition, development, maintenance, rehabilitation and operations of parks and recreation properties and facilities within the Town of Malabar and forward their recommendations to the Town Council for their consideration. The Board shall conduct such investigations, studies and

hearings which, in the judgment of the Board, will aid in effectuating its general purposes.

1. Alternate Member Duties. The alternate member of the Park and Recreation Board may attend all meetings of the Park and Recreation Board but shall act only in the absence, disability, abstention from voting or disqualification of a regular member thereof. When an alternate member acts, the minutes of the Park and Recreation Board shall reflect the name of the absent, disabled or disqualified member in whose place and stead the alternate is acting. Alternate members may always participate in board deliberations and debate, but they may make motions and vote only in the absence or voting disqualification of a regular member or the vacancy in a regular member's seat. The alternate members shall alternate acting in the place and stead of a regular voting member.

2. Absences. The absence of a member, including the alternate member, per Section 2-211(d) above.

3. Vacancies. Vacancies are defined in Section 2-211(e) above. Vacancies shall be filled for the unexpired term of any members whose term becomes vacant. The Town Council shall fill any vacancy within thirty (30) days after the vacancy occurs or as soon thereafter as possible. The Board shall recommend an alternate for Council consideration to fill the remainder of the term of the regular member. See Section 2-211(a) above."

SECTION 3. Chapter 2, Article VIII, is hereby amended to add Divisions 3, 4 and 5 to read as follows:

"Division 3. Trails & Greenways Committee.

Section 2-230 Establishment and Purpose of Trails & Greenways Committee.

(a). Establishment and Purpose. The Trails & Greenways Committee is hereby established and shall consist of five (5) seats and two (2) alternate-seats. The alternate members shall alternate to act in the place and stead of a regular voting member.

The Trails & Greenways Committee is established to deal with the specific subject of Trails & Greenways within Malabar and how they connect to the South Brevard Linear Trail System. The Trails and Greenways Committee shall have no policy or decision-making authority but shall have the authority to recommend, rank, reject, accept, classify or narrow any matter. The Trails and Greenways Committee shall gather information and present it to the Park and Recreations Board and the Town Council shall be the final determining body on any matters gathered, presented or reported to the Park and Recreations Board by the Trails and Greenways Committee.

The Committee is advisory in nature but consults with trail groups from other agencies on trail related issues and forwards their recommendations to the Parks and Recreation Board for their consideration and recommendation to Council. It is recognized that the nature of this committee shall require work parties for the members and other volunteers on trail clean-up and rehab projects from time to time. Such work parties shall be advertised similar to a meeting giving the location of the work site.

1. See Division 1, Section 2-211 above for other regulations.

2. The Trails and Greenways Committee shall only take direction from the Town Council and shall perform its missions on matters which have been authorized by the Town Council.

3. The Trails and Greenways Committee may advise the Park and Recreation

Board on the availability of grants and funding sources.

4. The Trails and Greenways Committee members shall not be prohibited from performing any action concerning the trails and greenways located within the Town under the Town's jurisdiction and authority on their own. The Trails and Greenways Committee may vote to recommend to the Park and Recreations Board to recommend to the Town Council any approval or disapproval of any work or services of a Trails and Greenways Committee member on the trails and greenways in the Town. The Town Council shall be the final decision-maker concerning such requests by Trails and Greenways Committee members for any donative services they wish to give to the Town. Nothing herein shall prevent more than one (1) Trails and Greenways Committee member from performing donative services to the Town at the same time. However, during the course of such donative services, the members of the Trails and Greenways Committee who are performing such services shall not discuss any Trails and Greenways Committee business while performing such donative services.

Division 4. Board of Adjustment

Section 2-240 Establishment and Purpose of Board of Adjustment.

(a). Establishment and Purpose. The Board of Adjustment is hereby established which shall consist of five (5) seats and two (2) alternate seats. The Board of Adjustment shall meet only on an as needed basis when a property owner requests a variance to the Land Development Code or the Street and Road Improvement Code. They shall also hear and consider challenges to the Administrative Decisions by the Town Building Official or Town Engineer. The quorum for the Board of Adjustment is four (4) members. The Board of Adjustment sits in a quasi-judicial position when considering variances to the Land Development Code. The Board of Adjustment shall have the authority to compel attendance of witnesses at hearings or meetings and to administer oaths. Any appeal of the decision of the Board of Adjustment shall be made through the circuit court and must be made within 30 days of the finding by the BOA. The Town Council shall establish by resolution the appropriate application fee to be s

1. **Alternate Member Duties.** The alternate member of the Board of Adjustment may attend all meetings of the Board of Adjustment but shall act only in the absence, disability or disqualification of a regular member thereof. When an alternate member acts, the minutes of the Board of Adjustment shall reflect the name of the absent, disabled or disqualified member in whose place the alternate is acting. The alternate members shall alternate to act in the place and stead of a regular voting member.

2. **Criteria for Review of Administrative Order.** The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order made by an administrative official in the enforcement of any land development code or regulation and shall memorialize their decision in a Final Order.

3. **Findings of Board of Adjustment.** Final Orders of the Board of Adjustment shall be recorded at the Brevard County Clerk of Court and filed in the property file, with a copy kept with the meeting minutes and a copy to the applicant.

4. **Majority Vote Required.** The concurring vote of a majority of all the members of the Board of Adjustment shall be necessary to reverse any administrative order or decision. Decisions in favor of an applicant's request for a variance shall also require a majority vote of all the members.

5. Criteria for Determining Variances. In order to authorize any variance from the terms of this ordinance, the Board of Adjustment must find the following:

- a) Existence of Special Conditions or Circumstances which are peculiar to the land, structure or building and are not applicable to other lands, structures or buildings in the same zoning district.
- b) Conditions Not Created by Applicant
- c) Special Privilege Not Conferred to Applicant not entitled to others in same zoning.
- d) Hardship Conditions Exist. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.
- e) Only the Minimum Variance Granted. Variance granted shall be the minimum variance that will make possible the reasonable use of the land, building or structure.
- f) Not Injurious to the Public Welfare or Intent of Code. Variance granted shall be in harmony with the general intent and purpose of the Comprehensive Plan or Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- g) Conditions and Safeguards May Be Imposed. Variance granted may have conditions imposed in conformity of Chapter 163 Florida Statutes, the Comprehensive Plan or the Land Development Code and shall be written into the Final Order before applicant signs and the document is recorded at the Brevard County Clerk of Courts.
- h) Time Limit May be imposed.
- i) No "Use" Variance Permitted in Specified Instances. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the zoning district involved or any use expressly or by implication prohibited in the zoning district involved. Existence of nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

6. Procedures for Processing Matters Before the Board of Adjustment.

- a) Any aggrieved person or any person affected by any decision of the Building Official or succeeding administrative officer may appeal the decision. Such appeals shall be submitted within 30 days of such decision and shall be heard within 60 days. The appeal shall be submitted on an application form provided by the Town. In addition, the applicant must submit a radius package produced by Brevard County listing all properties within 500 feet of the property involved in the application. The applicant may also include a cover letter explaining the reasons for the appeal or request. These all become part of the hearing package. The administrative officer, upon notification of said appeal, shall transmit to the Secretary of the Board all papers or materials constituting the record upon which the action appealed from was taken. These shall also become part of the hearing package for the Board of Adjustment. Before the hearing package is assembled, the application shall be reviewed by the appropriate Town staff and a written recommendation shall be submitted and shall be part of the record of the application.

- b) **Hearing of Appeal, Notice Required.** All meetings of the Board of Adjustment are held only after public notice has been given providing the date, time and place of the meeting; name of the Board holding the meeting; a brief description of the matter to be considered; and a legal description of the property or other appropriate information identifying the property involved. The meeting notice shall be published at least two (2) times in a newspaper of general circulation in the Town, the first publication of which shall be at least 15 days before the hearing. The Board Secretary shall also mail a copy of the notice to all property owners within five hundred (500) feet of the property involved in the application. If the property involved in the application is a condominium association or a Home Owners Association, the required notice shall be sent by certified mail to the association and by regular mail to the individual owners. The applicant is required to post the property involved in the application with a sign of approximately a total of two (2) square feet placed so as to be visible from the adjacent dedicated public road right-of-way, or private access easement. The sign should contain the same information as the notice.

7. Judicial Review of Decisions of Board of Adjustment. An applicant aggrieved by any decision of the Board of Adjustment may apply to the circuit court in the judicial circuit where the Board of Adjustment is located for judicial relief. Said application must be made within thirty (30) days after the decision by the Board of Adjustment. The election of remedies shall lie with the appellant.

8. See Division 1, Section 2-211 above for other regulations.

Division 5. Planning and Zoning Board

Section 2-250 Establishment and Purpose of the Planning and Zoning Board.

(a). *Establishment and Purpose.* The Planning and Zoning Board is hereby established and shall consist of five (5) seats and two (2) alternate-seats. The Planning and Zoning Board is advisory in nature. Members of the Board shall hold no other Town office. The affirmative vote of a majority of the regular and alternate board members present and voting (maximum of five votes) shall be necessary for the adoption of any motion. The Planning and Zoning Board deal with land use issues such as site plans, conditional uses, special exceptions, residential subdivision developments, plats, replats and zoning change requests. They also review and compile updates for the Comprehensive Plan and present to Council. They shall also draft land development code to conform to changes adopted by Council to the Comprehensive Plan. They shall annually prepare a Capital Improvement Projects list to submit to Council. Some of the issues that the Board considers will be quasi-judicial and staff will alert them to those situations.

1. *Alternate Member Duties.* The alternate member of said Planning and Zoning Board may attend all meetings of the Planning and Zoning Board but shall act only in the absence, disability, abstention from voting or disqualification of a regular member thereof. The alternate members shall alternate to act in the place and stead of a regular voting member. When an alternate member acts, the minutes of the Planning and Zoning Board shall reflect the name of the absent, disabled or disqualified member in whose place and stead the alternate is acting. Alternate members may always participate in board deliberations and debate, but they may make motions and vote only in the absence or voting disqualification of a regular member or the vacancy in a regular member's seat.

2. *Local Planning Agency.* The Malabar Planning and Zoning Board is hereby designated

the Local Planning Agency in accordance with F.S. 163, the Local Government Comprehensive Planning Act and as such shall conduct the comprehensive planning program and prepare the elements or portions of the Comprehensive Plan for presentation and approval by the Town Council.

- 3. Authority and Functions of Planning and Zoning Board. The authority of the Planning and Zoning Board is intended to be advisory only. Nothing herein shall be construed to grant to the Planning and Zoning Board final decision making authority. The Planning and Zoning Board shall review proposed site plans, developments, subdivisions, zoning or land use changes for consistency with the Town Code and Comprehensive Plan and forward their recommendations to Council in writing. If any such application is recommended for denial, the written recommendation shall state specifically what provision of the Code or Comprehensive Plan was not met. The Planning and Zoning Board shall review and recommend updates to the Capital Improvement Plan annually. They shall also undertake any other duties assigned to them by Council.
- 4. Land Development Regulations. The Planning and Zoning Board shall be familiar with the Malabar Land Development Regulations contained in the Land Development Code portion of the Malabar Code. These regulations are found in the Chapters identified as Article I (Preamble) Article XX (Definitions) as updated from time to time. F.S. 163 mandates that local governments adopt and enforce land development regulations. Those regulations shall be consistent with their adopted Comprehensive Plan. That statute also requires that the provisions set forth in the Comprehensive Plan be implemented through adoption of ordinances.
- 5. Administrative Staff. The Planning and Zoning Board shall consult with Town staff as well as other outside professionals in preparing recommendations for amendments to the Comprehensive Plan. They should also use staff to assist in preparing proposed ordinances and regulations designed to promote orderly development.
- 6. See Division 1, Section 2-211 above for other regulations.”

SECTION 4. Sections 1-12.2.A, B, C and D of Article XII of the Malabar Land Development Code is hereby deleted in its entirety (moved to Chapter 2, Article VIII, Division 4). **(Note to codifier: Section 1-12.2 shall be relettered to accomplish this repeal).**

SECTION 5. Sections 1-12.3.A, B, C and D of Article XII of the Malabar Land Development Code is deleted in its entirety (moved to Chapter 2, Article VIII, Division 5) and 1-12.3.C. 4 of the Malabar Land Development Code is hereby amended to read as follows: **(Note to codifier: Section 1-12.3 shall be relettered to accomplish the repeal of Section 1-12.3.A-D and the amendment to 1-12.3.C.4)**

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C. *Authority, Powers and Proceedings.*

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4. ~~Appeals~~ Decisions of the Planning and Zoning Board to the Town Council. Decisions of the Planning and Zoning Board are advisory in nature. Actions and requests approved by the Planning

and Zoning Board shall not be binding upon the Town of Malabar until approved by majority vote of the Town Council.

SECTION 6. CODIFICATION. It is the intention of the Town Council of the Town of Malabar, Brevard County, Florida and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the town of Malabar, Florida; that the sections of their Ordinance may be renumbered or re-lettered to accomplish such intention; and the word "Ordinance" may be changed to "Section," "Article" or other appropriate designations.

SECTION 7. SEVERABILITY. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder of the ordinance shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 8. CONFLICT. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this Ordinance.

SECTION 9. EFFECTIVE DATE. The ordinance shall take effect immediately upon its adoption.

The foregoing Ordinance was moved for adoption by Council Member Acquaviva. The motion was seconded by Council Member Abare and, upon being put to a vote, the vote was as follows:

Council Member Jim Milucky	<u>Aye</u>
Council Member Wayne Abare	<u>Aye</u>
Council Member Steve Rivet	<u>Aye</u>
Council Member Dick Korn	<u>Aye</u>
Council Member Marisa Acquaviva	<u>Aye</u>

Passed and adopted by the Town Council, Town of Malabar, Brevard County, Florida this ___ day of JUNE, 2014.

TOWN OF MALABAR

By:

Steve Rivet
Steve Rivet, Council Chair

First Reading: 06/02/2014

Second Reading: 06/16/2014

(seal)

ATTEST:

By Debby Franklin
Debby Franklin, Town Clerk/Treasurer

Approved as to form and content:

Karl W. Bohne, Jr.
Karl W. Bohne, Jr., Town Attorney