

LEGISLATIVE

120202B



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Boards/Committees List: BOARD OF ADJUSTMENT

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| | |
|---------------------|--|
| Title | BOARD OF ADJUSTMENT |
| Abbreviation | BOA |
| Contact | Lawrence Calderon |
| Phone | (352) 393-8690 |
| Description | (5-members; 3-year terms) CITY RESIDENCY REQUIRED. Created by Ordinance No. 1997 (December 16, 1984).and Ordinance No. 3777). The Board shall have the powers and duties under the zoning and building chapter provisions, of the City: 1) Administrative Review; 2) Special Exceptions; 3) Variances; 4) Decisions; and 5) Additional duties as may, by ordinance, be delegated to it and which shall pertain to the above assigned powers. |

Created at 6/1/2010 5:54 PM by [D'Costa, Johnny J.](#)
Last modified at 1/9/2012 10:39 AM by [Byrne, Betsy L.](#)

Sec. 30-354. - Board of adjustment.

(a)

Created. The board of adjustment is hereby created and shall consist of five members appointed by the city commission. After the initial appointments, each member shall be appointed for up to two consecutive terms of three years each, and shall hold office until a successor has been appointed and qualified. Service on the board may not exceed six consecutive years; however, reappointment may occur after one year of absence from the board. Vacancies shall be filled for the unexpired term of any member whose office becomes vacant. Terms shall expire November 1 of the year the term expires.

(b)



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Boards/Committees List: CITY PLAN BOARD

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| | |
|---------------------|---|
| Title | CITY PLAN BOARD |
| Abbreviation | CPB |
| Contact | Dean Mimms |
| Phone | (352) 393-8688 |
| Description | <p>(7-members; 3-year terms) (Ordinance Nos. 874, 1158, 1998, and 3777) (60 Day Probationary Period) CITY Residency REQUIRED.</p> <p>The City Plan Board (CPB) gathers information and makes recommendations to the City Commission on a comprehensive plan of the City showing all major projected changes; the needs of the City with regard to recreation, parks and boulevards, the extension and opening of streets and avenues or other public ways or places and all other city plans and improvements; and changes and improvements in building and fire limit ordinances.</p> |

Created at 6/1/2010 5:58 PM by [D'Costa, Johnny J.](#)

Last modified at 5/29/2012 3:48 PM by [Byrne, Betsy L.](#)

Sec. 30-353. City plan board.(a) *Membership.*

- (1) The city plan board shall have seven regular members, representing a cross section of the city, appointed by the city commission. Regular members of the city plan board shall be and remain bona fide residents of the city. If at any time any member of the city plan board fails to be and remain a resident of the city the person shall be automatically disqualified and removed from the board.
- (2) The city plan board shall have an additional member (hereinafter, the "school board representative") that represents and is appointed by the School Board of Alachua County. The duties of the school board representative are limited to attending city plan board meetings at which the city plan board considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the proposed plan amendment or rezoning. The school board representative shall be a non-voting member.
- (3) Each member shall be appointed to a three-year term commencing on November 1 of the year appointed, except that, initially, two regular members shall be appointed for terms of one year, three regular members shall be appointed for terms of two years, and two regular members shall be appointed for terms of three years. No person may serve more than two consecutive three-year terms. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.
- (4) When a regular member position becomes vacant before the end of the term, the city commission shall appoint a substitute member to fill the vacancy for the duration of the vacated term. When the school board representative position becomes vacant before the end of the term, the School Board of Alachua County shall appoint a substitute member to fill the vacancy for the duration of the vacated term. A member whose term expires may continue to serve until a successor is appointed and qualified.
- (5) Probationary period for regular members.
 - a. New appointees to the city plan board shall complete a 60-day probationary period prior to commencement of the term of office. During this period appointees meet the same attendance requirements as other board members, but shall not have the power to vote or be counted for the purpose of constituting a quorum.
 - b. Any appointee who fails to successfully complete the probationary period, except as provided in subsection (a)(5)c. of this section, shall be automatically disqualified for membership on the city plan board, upon the filing with the clerk of the commission of appropriate proof that the appointee has failed to successfully complete the probationary period.
 - c. Exception. The city commission may waive the required probationary period for any appointee to the city plan board upon good cause shown and entered in the record of the minutes of the city commission.

(b) *Officers.*

(1)



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Boards/Committees List: DEVELOPMENT REVIEW BOARD

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|---------------------|---|
| Title | DEVELOPMENT REVIEW BOARD |
| Abbreviation | DRB |
| Contact | Lawrence Calderon |
| Phone | (352) 393-8680 |
| Description | <p>(7-members; 3-year terms) (Initial terms: two (2) one-year terms to expire November 1, 1991; three (3) two-year terms to expire November 1, 1992; and two (2) three-year terms to expire November 1, 1993). (60 Day Probationary Period). CITY RESIDENCY REQUIRED. Created by Ordinance No. 3679 (November 19, 1990) and Ordinance No. 3777 (June 10, 1992).</p> <p>The Development Review Board is a citizen board to review and approve or deny development plans submitted for its review pursuant to the provisions of Chapter 30 of the Gainesville Code of Ordinances; and shall be composed whenever possible of at least one from each of the following: 1) An architect or landscape architect; 2) A Civil Engineer; 3) A person engaged in real estate sales or development; 4) A professional with experience in natural or environmental sciences.</p> |

Created at 6/1/2010 5:59 PM by [D'Costa, Johnny J.](#)

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Sec. 30-352. - **Development review board.**

(a)

Establishment. The development review board is hereby created as a citizen board to review and approve or deny development plans submitted for its review pursuant to the provisions of this article. The airport authority shall act in the capacity of the development review board for development plans for the Gainesville Regional Airport in accordance with an approved airport layout plan.

(b)

Membership.

(1)

The board shall have seven members appointed by the city commission. Any interested citizen may be appointed to the board, but special consideration shall be given to the following:

a.

An architect or landscape architect.

b.

A civil engineer.

c.

A person engaged in real estate sales or development.

d.

A professional with experience in natural or environmental sciences.

e.

An urban planner; and

f.

A citizen at large.

(2)

The initial appointment, residency requirement, length of term, number of terms, probationary period, officers and general procedures shall be as prescribed for the city plan board, section 30-353



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|---------------------|---|
| Title | FIRE SAFETY BOARD OF ADJUSTMENT |
| Abbreviation | FSBA |
| Contact | JoAnne Rice |
| Phone | (352) 393-8379 |
| Description | (5-members; 3-year terms) (appointed by City Commission) (Ordinance No. 3388). The Fire Safety Board of Adjustment serves as an Appeals Board and to the greatest extent possible are qualified by training and experience in building construction and fire safety standards, and hereby authorized to hear appeals and to vary the application of any provision of the City of Gainesville Code when the City Code and the Building Code are in conflict. |

Created at 6/1/2010 6:00 PM by [D'Costa, Johnny J.](#)

Last modified at 12/17/2012 11:40 AM by [Byrne, Betsy L.](#)

Sec. 10-14. - Fire safety board of adjustment.

- (a) *Fire safety board of adjustment to serve as appeals board.* The fire safety board of adjustment, consisting of five members who, to the greatest extent possible are qualified by training and experience in building construction and fire safety standards, is hereby authorized to hear appeals and to vary the application of any provision of this code and the building code when this code and the building code are in conflict. The board is appointed by the city commission. Each member shall be appointed for a term of three years and shall hold office until his/her successor has been appointed and qualified. Vacancies shall be filled for the unexpired term of any member whose office becomes vacant. Terms shall expire November first of such year the term expires.
- (b) *Chair.* A majority of the board shall elect a chair who shall serve in that capacity for a two-year term.
- (c) *Meetings.* The board shall meet at least quarterly but may, by rule, increase the frequency of meetings.
- (d) *Secretary.* The fire official, or his/her authorized representative, shall act as secretary of the board as regards the aforementioned appeals.
- (e) *Decisions.*
- (1) Every decision of the board shall be final and binding on all persons, subject, however, to the authority of the state fire marshal pursuant to F.S. § 633.161 and to such remedy as any aggrieved party might have at law or in equity. All decisions of the local building official and local fire official and all decisions of the board shall be in writing and decisions by the board shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the fire official and shall be open to public inspection; a certified copy shall be sent to appellant and a copy shall be kept in the office of the fire official for two weeks after filing. Decisions of general application shall be indexed by building and fire code sections and shall be available for inspection by the public during normal business hours.
 - (2) The board shall, in every case, reach a decision without unreasonably or unnecessary delay. The fire official and building official shall immediately take action in accordance with such decision.
 - (3) If a decision of the board reverses or modifies a refusal, order, or disallowance of the fire official or varies the application of any provision of this code, the fire official shall immediately take action in accordance with such decision.
- (f) *Appeal.*
- (1) *Fire code only.* Whenever it is claimed that the provisions of this code do not apply, or the fire official shall reject an alternate material or method of construction, or when it is claimed that the true intent and meaning of this code has been misinterpreted, the owner or his/her duly authorized agent may appeal the decision of the fire official to the board. Notice of appeal shall be in writing stating the reasons why relief is sought and what decision the person feels should be forthcoming. Appeal must be filed within 15 days after the decision is rendered by the fire official in such form as prescribed by the board.
 - (2) *Fire code/building code conflict.* If the applicable minimum building code conflicts with the applicable minimum fire safety code, the conflict shall be resolved by agreement between the building code enforcement official and the fire code enforcement official



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| Title | GAINESVILLE CODE ENFORCEMENT BOARD |
| Abbreviation | GCEB |
| Contact | Karen Macfarlane |
| Phone | (352) 393-8818 |
| Description | <p>Seven (7) members; three (3) year terms. Reference Ordinances 2667 and 2753. CITY RESIDENCY REQUIRED.</p> <p>The Gainesville Code Enforcement Board shall have jurisdiction to hear and decide cases in which violations are alleged of any provisions of the Gainesville City codes and ordinances relating to buildings, electrical code, fire protection, housing code, licenses, plumbing, signs and street graphics, ventilation, heating, air conditioning, refrigeration, and zoning.</p> <p>Membership shall be composed, whenever possible, of persons experienced in the following professions: 1)architect; 2) business person; 3) engineer; 4)general contractor; 5)subcontractor; 6) realtor. Members will be registered, licensed, and/or certified in their profession as designated by Ordinances 2667 and 2753.</p> |

Created at 6/1/2010 6:01 PM by [D'Costa, Johnny J.](#)

Last modified at 10/12/2011 9:47 AM by [Byrne, Betsy L.](#)

DIVISION 8. - CODE ENFORCEMENT

BOARD [19]

Sec. 2-379. - Composition.

(a)

The board shall be composed of seven members and shall be appointed by the commission. The commission may appoint up to two alternate members for each board member to serve on the board in the absence of board members. The membership of each enforcement board shall, whenever possible, include:

(1)

An architect;

(2)

A business person;

(3)

An engineer;

(4)

A general contractor;

(5)

A realtor;

(6)

A subcontractor.

(b)

Qualifications. Each member appointed to the board shall possess, in addition to experience or interest in the fields of zoning and building control, the following minimum qualifications at time of appointment:

(1)

Any architect and any engineer so appointed shall be registered under the laws of the state regulating the practice of architecture and engineering, respectively, or shall possess similar qualifications under the laws of other states or shall have actual experience deemed by the commission to be equivalent to such registration.

(2)

Any general contractor or subcontractor so appointed shall possess a valid certificate of competency and business tax receipt, recognized and accepted under the laws of the state and the ordinances of the city regulating the business of contracting or subcontracting and where required, state registration as a contractor or subcontractor, or shall possess similar qualifications under the laws of other states, or shall have actual experience deemed by the commission to be equivalent to such certification.

(3)

Any realtor shall be licensed under the laws of the state which license a real estate broker as either a broker or a salesperson or shall possess similar qualifications under the laws of other states or shall have actual experience deemed by the commission to be equivalent to the licensing, and shall hold a current and valid business tax receipt issued by the city.

(4)

Any businessperson shall be actively engaged in any lawful business within the city, and shall hold a current and valid business tax receipt issued by the city, or shall be an officer or employee of a business entity holding a current and valid business tax receipt issued by the city.

(5)

Each member of the board shall be a resident of the city.

(6)

No person shall be eligible for appointment to the board should the person have pending, either before the board or in any county, circuit or appellate court of the state, a case concerning cited or proven violation of any of the codes or ordinances enumerated in [section 2-377](#). The members shall serve in accordance with ordinances of the city and may be suspended and removed for cause as provided in such ordinances for removal of members of boards.

(c)

All appointments after the initial appointments shall be made by the commission for a term of three years.

(d)

Appointments to fill any vacancy to the board shall be for the remainder of the unexpired term of office.

(e)

If any member fails to attend two of three successive meetings without cause and without prior approval of the chair, the board shall declare the member's office vacant, and the local governing body shall promptly fill such vacancy. Any member, who becomes a candidate for public elective office or becomes an employee of the city, shall automatically forfeit his/her membership. Should a member of the board be adjudicated guilty of a violation of any of the codes or ordinances enumerated in Division 6, Civil Citations or Division 8, **Code Enforcement Board**, the matter shall be placed on the next agenda of the city commission for a determination as to whether the member should be allowed to continue, be temporarily suspended, or be removed from the board. In making this determination, the city commission shall consider, among other things, the nature of the code or ordinance cited, the severity

and extent of the cited violation and the past history of the member concerning previous violations of the subject codes or ordinances.



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| Title | GAINESVILLE HUMAN RIGHTS BOARD |
| Abbreviation | GHRB |
| Contact | Sue Debose |
| Phone | (352) 393-8578 |
| Description | <p>(Seven (7) members; 3-year terms). CITY RESIDENCY REQUIRED. Membership should be representative of the city's population.</p> <p>Created by Ordinance 980524 (12/14/98) amending Chapter 8 of the Code of Ordinances. The Gainesville Human Rights Board serves as a Quasi-Judicial board authorized to: 1) adopt rules and procedures necessary to conduct the business of the board; 2) subpoena and compel the production of evidence necessary for investigation of complaints filed for any alleged discrimination based upon sexual orientation, race, color, gender, age, religion, national origin, marital status, disability, or gender identity as it relates to housing, employment, public accommodation, and fair credit; and, 3) provide for informational, educational, and civil actions, penalties, and other remedies to carry out the purposes of this chapter.</p> |

Created at 6/1/2010 9:50 PM by [D'Costa, Johnny J.](#)

Last modified at 2/14/2012 9:06 AM by [Byrne, Betsy L.](#)

Sec. 8-22. - Human rights board—Established; membership; meetings.

There is hereby created the City of Gainesville Human Rights Board.

- (a) The board shall be composed of seven members appointed by the city commission. Membership should be representative of the city's population and whenever possible, should reflect racial, ethnic and religious minorities as well as geographic economic and sexual considerations.
- (b) Members of the boards shall serve terms of three years each; provided, however, that three of the initial appointments shall be for a term of one year, two of the initial appointments shall be for a term of two years, and the remaining two initial appointments shall be for a term of three years. Thereafter, all appointments shall be for three-year terms.
- (c) The members of the board shall receive no compensation.
- (d) The board shall annually elect one of its members as chair and one as vice-chair. Elections shall be held at the first regularly scheduled meeting after appointment of the board. The chair shall preside and conduct meetings of the board. The vice-chair shall act in the absence of the chair. Unless otherwise stated in this article, all actions and decisions of the board may be by a simple majority vote of those members present at a lawful meeting of the board.
- (e) The board shall have the power and authority to promulgate such procedures and rules as necessary to conduct the business of the board, provided such rules are not inconsistent with this chapter and provided that such rules are subject to approval by the city commission.
- (f) The board shall meet at least monthly, if there is business to come before the board, but may also meet as often as necessary. The director shall schedule each meeting and give notice of the time and place of the meetings to all board members, all parties to be heard, and the public. Special meeting of the board may be converted by the chair, with the concurrence of the director, upon giving notice thereof to the members of the board, or may be called by written notice signed by three members of the board. The notice of a special meeting shall be given at least 48 hours prior thereto. All meetings shall be public.
- (g) The city's equal opportunity director shall provide clerical and administrative support to the board as may be reasonably required by the board to discharge its duties and responsibilities. The city's equal opportunity director shall provide a regular meeting place for the board.

(Ord. No. 980524, § 3, 12-14-98; Ord. No. 030313, § 3, 11-24-03; Ord. No. 040874, § 1, 2-28-05)



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Boards/Committees List: HISTORIC PRESERVATION BOARD

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|---------------------|--|
| Title | HISTORIC PRESERVATION BOARD |
| Abbreviation | HPB |
| Contact | D. Henrichs |
| Phone | (352) 393-8692 |
| Description | <p>Nine (9) members; three (3) year terms. Two Consecutive Term Limit [Reference Ordinance No. 2842 (03/28/83); Ordinance No. 3541 (Name Change) (06/12/89)]. CITY RESIDENCY REQUIRED.</p> <p>All members of the board shall be residents of the City. One (1) member shall be a registered architect. The City Commission shall, when possible, appoint a representative from each of the following areas of expertise: 1) History; 2) Real Estate and/or Real Property Appraisal and/or Finance; 3) Urban Planning and/or Law; 4) Engineering and/or Building Construction; and 5) Landscape Architecture.</p> <p>The responsibility of the Historic Preservation Board (HPB) shall be to: 1) update the official inventory of cultural resources and submit recommendations and documentation to the City Commission; 2) develop programs to stimulate public interest in urban neighborhood conservation policies and goals; 3) advise property owners concerning funding and grant sources which might be available for the identification, protection, enhancement, perpetuation, and use of historic, architectural, archeological, and cultural resources; 4) cooperate with city, county, regional, state and federal government agencies in planning proposed and future projects to reflect the concerns and policies expressed in this article, and assist in the development of proposed and future land use plans; 5) advise property owners and local governmental agencies concerning the proper protection, maintenance, enhancement and preservation of cultural resources; 6) advise the City Commission concerning the effects of local governmental actions on cultural resources; 7) review and recommend sites, buildings, structures, objects, areas and districts, both public and private, for listing on the local register for historic places; and otherwise further the objectives and purposes defined in section 12-2 of the Gainesville Code of Ordinances.</p> |

Created at 6/1/2010 9:59 PM by **D'Costa, Johnny J.**Last modified at 5/29/2012 4:36 PM by **Byrne, Betsy L.**

Sec. 30-355. - Historic preservation board.

(a)

Creation. There is hereby created and established a **historic preservation** board.

(b)

Duties and authority. It shall be the responsibility of the board to:

(1)

Update the official inventory of cultural resources and submit to the city commission recommendations and documentation concerning such updating.

(2)

Develop programs to stimulate public interest in urban neighborhood conservation, to participate in the adaptation of existing codes, ordinances, procedures and programs to reflect urban neighborhood conservation policies and goals.

(3)

Explore funding and grant sources and advise property owners concerning which might be available for the identification, protection, enhancement, perpetuation and use of historic, architectural, archaeological and cultural resources.

(4)

Cooperate with agencies of city, county, regional, state and federal governments in planning proposed and future projects to reflect the concerns and policies expressed in this article, and assist in the development of proposed and future land use plans.

(5)

Advise property owners and local governmental agencies concerning the proper protection, maintenance, enhancement and preservation of cultural resources.

(6)

Advise the city commission concerning the effects of local governmental actions on cultural resources.

(7)

Conduct regular public meetings and call special meetings.

(8)

Otherwise further the objectives and purposes defined in subsection 30-112(b).

(9)

Submit to the city commission for its approval, rules and procedures to be used by the board for implementation of the powers and duties consistent with the provisions of this chapter.

- (10) Report to the city commission concerning the board's activities at least once a year.
- (11) Review and recommend sites, buildings, structures, objects, areas and districts, both public and private, for listing on the local register for historic places.
- (12) Approve or deny petitions for certificates of appropriateness required under subsection 30-112(c)(5).
- (13) Notify the city manager who will take appropriate action when it appears that there has not been compliance with the requirements of subsection 30-112(c)(5).

(c)

Composition; terms; vacancies.

(1)

The board shall consist of nine (9) citizen members who shall be appointed by the city commission. All members of the board shall be residents of the city. One (1) member shall be a registered architect. The city commission shall, when possible, appoint a representative from each of the following areas of expertise:

a.

History.

b.

Real estate and/or real property appraisal and/or finance.

c.

Urban planning and/or law.

d.

Engineering and/or building construction.

e.

Landscape architecture.

The city commission shall appoint additional persons from other segments of the community to complete the board appointments.

(2)

After initial appointment, all appointments shall be made for a term of three (3) years. Members may be reappointed for consecutive terms, but service on the board may not exceed six (6) consecutive years. Reappointment may then occur after one (1) year of absence from the board.



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Boards/Committees List: TREE BOARD OF APPEALS

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|---------------------|---|
| Title | TREE BOARD OF APPEALS |
| Abbreviation | TBA |
| Contact | Mark D. Siburt |
| Phone | (352) 393-8187 |
| Description | <p>(3-members nominated by the Big Tree Committee and appointed by the City Commission; 3-year terms) City Residency NOT Required.</p> <p>The Tree Board of Appeals has been established to hear appeal regarding dangerous or dead trees designated for removal (including those recommended for removal (including those recommended for removal by the City Arborist). Established by Ordinance No. 3529 (04/10/89).</p> |

Created at 6/1/2010 10:14 PM by [D'Costa, Johnny J.](#)

Last modified at 10/18/2010 11:57 AM by [Byrne, Betsy L.](#)

Sec. 2-430.16. - Creation; composition; appointment; term of members; filling of vacancies.

- (a) The tree board of appeals shall consist of three members nominated by the tree advisory board and appointed by the city commission. Any candidate for the tree board of appeals shall be qualified in arboriculture. The board is authorized to hear appeals from any order, decision, or determination to remove dangerous or dead trees which is made by the city arborist. Appeals shall be filed with the city arborist. The tree board of appeals shall apply standards and considerations found in [section 30-254](#) of the Land Development Code and shall have authority to decide any question involving the interpretation of the city arborist's order. Each member shall be appointed for a term of three years and shall remain in office until a successor has been appointed and qualified. Vacancies shall be filled for the unexpired term of any member whose office becomes vacant. Terms shall expire on January 1 of the year the term expires.
- (b) Schedule. The terms and expiration of terms for the tree board of appeals are as follows: one term shall expire January 1, 1990; one term shall expire January 1, 1991; and one term shall expire January 1, 1992. After each term expires, appointments shall be made for three-year terms or for unexpired terms.

(Ord. No. 3529, § 1, 4-10-89; Ord. No. 3593, § 1, 1-22-90)