

**City of South Daytona**  
**Office of the City Manager**

1672 S. Ridgewood Avenue • South Daytona, FL 32121 • 386/322-3014



MEMORANDUM

To: James L. Gillis Jr., City Manager  
From: Becky Witte, Deputy City Clerk  
Re: Consideration of Ordinance 2023-06, allowing the City Council the option to designate the Planning and Appeals Board to perform the duties of the Parks, Recreation, and ADA Advisory Board  
Date: April 4, 2023

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The City Council has several boards which serve in an advisory capacity and is empowered to establish, create, define and eliminate these boards.

In June 2020, the City Council combined the Parks and Recreation Board and the Americans with Disabilities Act (ADA) Committee. The board meets quarterly. They are tasked with reviewing and making recommendations to the City Council with respect to parks, recreation, park regulations, issues related to disability and access with an emphasis on identifying barrier removal projects and other related matters as determined by the City Council.

The Planning and Appeals Board meets monthly (or as needed for review of applications and issues) and has experience with making recommendations to the City Council on new developments, codes and processes. The Planning and Appeal Board's experience and expertise is an ideal fit to serve as the Parks, Recreation, and ADA Advisory Board when needed.

Amending Article II. Parks, Recreation and ADA Advisory Board within the Code of Ordinances by adding Section 10.5-19. Designation of Planning and Appeals Board to Perform Duties, allows the City Council the option to designate the Planning and Appeals Board to perform the duties of the Parks, Recreation, and ADA Advisory Board to assist with the efficiency of city operations.

Staff recommends the City Council approve Ordinance No. 2023-06, allowing the City Council the option to designate the Planning and Appeals Board to perform the duties of the Parks, Recreation, and ADA Advisory Board.

If approved, after second and final reading of the Ordinance, staff will present a Resolution to the City Council to consider designating the Planning and Appeals Board to perform the duties of the Parks, Recreation, and ADA Advisory Board.

**ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA, AMENDING CHAPTER 10.5, PARKS AND RECREATION, OF THE CITY OF SOUTH DAYTONA CODE OF ORDINANCES TO ADD SECTION 10.5-19, ALLOWING THE CITY COUNCIL THE OPTION TO DESIGNATE THE PLANNING AND APPEALS BOARD TO PERFORM THE DUTIES OF THE PARKS, RECREATION AND ADA ADVISORY BOARD; PROVIDING FOR ADMINISTRATIVE ACTIONS, CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council is empowered to establish, create, define and eliminate Boards which would serve them in an advisory capacity concerning matters of land development, adjustments, appeals, code enforcement and other general issues related to the operations and management of local government; and

**WHEREAS**, the Planning and Appeals Board has experience in making recommendations to the City Council and is ideally suited to review proposals for city parks, recreation and compliance with the Americans with Disabilities Act; and

**WHEREAS**, providing the Council the option to designate the Planning and Appeals Board to fulfill the role of the Parks, Recreation, and ADA Advisory Board will assist with the efficiency of city operations; and

**WHEREAS**, the City Council of the City of South Daytona finds it in the best interest of its citizens to revise the Code of Ordinances; and

**WHEREAS**, words with underlined (underlined) type shall constitute additions to the original text, and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA THAT:**

**SECTION 1. Recitals.** The above recitals are true and correct and are incorporated herein by reference.

**SECTION 2.** Section 10.5-19 of the City of South Daytona Code of Ordinances is hereby created to read as follows:

**Sec. 10.5-19. Designation of Planning and Appeals Board to Perform Duties**

As an alternative to sections 10.5-16, 10.5-17 and 10.5-17.1, the City Council may, by resolution, designate the Planning and Appeals Board to perform the duties of the Parks, Recreation, and ADA Advisory Board as set forth in section 10.5-18. Such designation may be rescinded by resolution of the City Council.

**SECTION 3. Administrative Actions.** The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative forms, policies, procedures, processes and rules.

**SECTION 4. Codification.** The provisions of this Ordinance shall become and be made a part of the City of South Daytona, Florida Code of Ordinances, and the Sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that portions other than Section 2 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

**SECTION 5. Conflicts.** All ordinances, resolutions or administrative policies or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon adoption.

**APPROVED** upon first reading on the 11<sup>th</sup> day of April, 2023 at a regular meeting of the City Council of the City of South Daytona.

**APPROVED AND ADOPTED** upon second and final reading on the \_\_\_\_ day of \_\_\_\_, 2023 at the regular meeting of the City of South Daytona City Council.

**CITY OF SOUTH DAYTONA:**

ATTEST:

\_\_\_\_\_  
James L. Gillis, Jr., City Manager

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William C. Hall, Mayor

CERTIFIED AS TO FORM:

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Wade C. Vose, City Attorney