ORDINANCE

NUMBER 2026-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AMENDING CHAPTER 1-7, ARTICLE IV, SECTION 1-7-48 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, ENTITLED TOURIST DEVELOPMENT COUNCIL; AMENDING ATTENDANCE REQUIREMENTS; REQUIRING READOPTION OF THE TOURIST DEVELOPMENT COUNCIL'S BYLAWS; LIMITING AUTOMATIC FORFEITURE; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, section 125.0104, Florida Statutes requires that Charlotte County Board of County Commissioners (the "Board") appoint the Tourist Development Council ("TDC") and establish the Council's terms of office; and

WHEREAS, the Board appointed the first TDC members in 1984; and

WHEREAS, pursuant to Chapter 2018-189, Laws of Florida, TDC membership may include no more than two members who are not electors of Charlotte County, if they reside in a county adjacent to Charlotte County and own a business related to the tourism industry, have demonstrated an interest in tourist development in Charlotte County, and have paid the local business tax in Charlotte County; and

WHEREAS, Code section 1-7-48(d) provides that the TDC members "who fail to attend two (2) meetings in a rolling twelve-month period shall automatically forfeit their appointment"; and

WHEREAS, the TDC recommends that this section be amended as described below so that the automatic forfeit provision is clarified; and

WHEREAS, amending the Code section 1-7-48(d) as requested by the TDC is in

the best interest of the County, its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Charlotte County Code Chapter 1-7, Article IV, § 1-7-48(d) is hereby amended by adding the underlined language and by deleting the stricken language to provide as follows:

Sec. 1-7-48. - Tourist development council.

...

(d) All council members serve at the pleasure of the board of county commissioners, which may remove any member by majority vote, with or without cause, at any time. Council members who are absent for three meetings within a fiscal year ~~fail to attend two (2) meetings in a rolling twelve-month period~~ shall automatically forfeit their appointment and the board shall promptly fill each vacancy from a list of qualified applicants in accordance with section 1-7-48(a).

Section 2. The Tourist Development Council's Bylaws (updated on March 10, 2026) must be revised to be consistent with this ordinance, placed on the next available TDC agenda and readopted or they are deemed null and void.

Section 3. No member shall be subject to automatic forfeiture for absences incurred before this ordinance's effective date.

Section 4. Severability. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and

independent provision and such holding shall not affect the validity of the remainder of this Ordinance.

Section 5. Codification. It is the intention of the Board of County Commissioners of Charlotte County, Florida and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code and Laws and Ordinances of Charlotte County, Florida ("Code"), and the sections of this Ordinance may be renumbered to accomplish such intention. In the event this Ordinance conflicts with any provisions of the Code, the provisions of this Ordinance shall control to the extent of any such conflict.

Section 6. Effective Date. This ordinance shall take effect upon adoption by the Board of County Commissioners.

PASSED AND DULY ADOPTED this 27th day of October, 2026.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Thomas M. David, County Attorney
LR 2026-1010