

ORDINANCE NO. 560

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHATTAHOOCHEE, FLORIDA, CALLING AN ELECTION ON PROPOSED CHARTER REVISION TO BE HELD ON TUESDAY, APRIL 30, 2019; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF PROPOSAL TO REPEAL AND REPLACE PORTION OF THE CITY CHARTER RELATING TO CITY COUNCIL ELECTION AND TERMS WITH THE PROVISION STATED HEREIN; PROVIDING THAT GADSDEN COUNTY SUPERVISOR OF ELECTIONS APPOINTED AS ELECTIONS OFFICER; PROVIDING THAT CITY SHALL BEAR ALL COSTS OF ELECTION; ESTABLISHING BALLOT TITLES AND SUMMARIES; PROVIDING FOR NEW CITY CHARTER PROVISION ESTABLISHING FOUR YEAR TERMS FOR CITY COUNCIL MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved proposed City Charter revision at its meeting on March 5, 2019; and

WHEREAS, the proposed City Charter revision is required to be submitted to the electors of the City of Chattahoochee for their consideration and approval before becoming effective;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF CHATTAHOOCHEE, FLORIDA:

SECTION 1. Election Referendum Set. The City Council calls for the holding of a referendum of the electors of the City of Chattahoochee on the date of the next City general election, April 30, 2019, to consider and vote for or against the approval of the proposed City Charter revision as herein below approved by the City Council.

SECTION 2. Supervisor Appointed. The Gadsden County Supervisor of Elections is hereby appointed as the election officer of the election by ballot in accordance with Florida Statutes.

SECTION 3. City to Bear Costs. The City of Chattahoochee shall reimburse the Gadsden County Supervisor of Elections for any costs incurred by that office directly

related to the preparation for, conducting of, and certifying the results of the referendum on the proposed City Charter revision.

SECTION 4. Ballot Titles and Summaries. The ballot title and summary to appear on the ballot of referendum on the proposed City Charter revision shall be:

**CHARTER AMENDMENT NO. 3
RELATING TO CITY COUNCIL MEMBER TERMS**

The current Charter provides for two year City Council member terms. **Shall the City Charter be amended to provide for four year City Council member terms?** If adopted City Council members will serve four year terms.

_____ **YES** For adopting the amendment to the City Charter

_____ **NO** Against adopting the amendment to the City Charter

SECTION 5. Publication of Notice. The appropriate officials shall cause to be published in a newspaper of general circulation in the City the notices of the referendum required by Florida law.

SECTION 6. Charter Amendment. In the event the foregoing Charter Revision Question is approved by a majority of the electors voting on the proposal, at the date of the next City General election, on April 30, 2019, the existing City Charter provision included as Exhibit "A" hereto shall be amended, depending on the results of the election and the following new City Charter provision for the City of Chattahoochee shall, become effective on May 1, 2019.

CITY OF CHATTAHOOCHEE CHARTER AMENDMENT NUMBER 3

SECTION 3.03. Election and terms. The regular election of City Council members shall be held on a date each alternating year which is prescribed by ordinance, in the manner provided in article 5 of this charter, and shall be for four year terms.

SECTION 7. MAYOR AND MAYOR PRO TEM TERM UNAFFECTED. Nothing herein shall affect the one year term of office for Mayor and Mayor Pro Tem.

SECTION 8. TRANSITION. The terms of office of City Council members transition from two years to 4 years shall be established by ordinance.

SECTION 9. SEVERABILITY. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a Court of competent

jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clause and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 10. REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict

EFFECTIVE DATE. This Ordinance shall take effect immediately upon its enactment.

INTRODUCED in open session of the City Council of the City of Chattahoochee, Florida on the 19th day of February, 2019.

ENACTED by the City Council of the City of Chattahoochee, Florida on the ____ day of _____, 2019.

CITY OF CHATTAHOOCHEE, FLORIDA

By: _____
Name: Christopher Moultry
Title: Mayor

ATTEST:

By: _____
Name: Wendy M. Doyal
Title: City Clerk

APPROVED as to form:

By: _____
Name: J. Jerome Miller
Title: City Attorney