

ORDINANCE 18-13

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF BELLE ISLE SECTIONS 7.01 WITH RESPECT TO MATTERS INCLUDING BUT NOT LIMITED THE PASSAGE OF AN ORDINANCE BY THE VOTERS; PROVIDING FOR A REFERENDUM VOTE BY THE ELECTORS OF THE CITY OF BELLE ISLE ON THE QUESTION OF APPROVAL OF THE PROPOSED CHARTER AMENDMENTS AT THE ELECTION TO BE HELD ON MARCH 12, 2019; PROVIDING FORM OF BALLOT; PROVIDING FOR FILING REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE, AND OTHER DIRECTIONS TO CITY STAFF; PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE AND CHARTER AMENDMENTS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS.

WHEREAS, the City Council of the City of Belle Isle, Florida pursuant to Chapter 166, Florida Statutes, and Section 7.01, Charter of the City of Belle Isle, Florida, may submit to the electors of the City proposed amendments to the City Charter; and

WHEREAS, the City Council finds it in the best interests of the City and its residents to amend and revise the City Charter as provided herein; and

WHEREAS, the City Council desires to propose and submit to the electors of the City of Belle Isle for referendum vote the City Charter amendments provided for herein, at the election to be held on March ____, 2019.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA AS FOLLOWS:

1 Section 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct
2 and are hereby made a part of this ordinance.

3 Section 2. Charter Amendment, Sec. 7.01. The City hereby proposes the amendment(s) to the City
4 Charter described in the attached Exhibit "A," which amendment(s) shall be submitted to the qualified
5 electors of the City of Belle Isle (words that are stricken out are deletions; words that are underlined are
6 additions; stars *** indicate omitted sections and subsections and do not represent Charter amendments).

7 Section 3. Ballot Question, Sec. 3.01. The ballot title and summary for the City Charter amendment(s)
8 described in Section 2 of this Ordinance shall be as set forth below, and shall be followed by the words "yes"
9 and "no":

10 Question #1:

11 Amendment of Section 7.01, Belle Isle City Charter

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13 Shall Section 7.01 of the Belle Isle City Charter be amended to provide that the passage of a charter
14 amendment ordinance must receive a sixty percent(60%)or more affirmative vote to be adopted of those
15 voting on such ordinance,?

16 Yes _____

17 No _____

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19 Section 4. Referendum. The forgoing proposed amendments to the Charter of the City of Belle Isle
20 and their accompanying ballot questions shall be individually placed on the City ballot and submitted to the
21 qualified electors of the City of Belle Isle at the election held on March __, 2019. The City Clerk is hereby
22 authorized and directed to advertise the referendum election authorized herein in accordance with the
23 applicable provisions of the City Charter, City Code, Florida Statutes, Florida Administrative Code, and federal
24 law. In the event it becomes necessary, as determined by the City Council, to make modifications to any ballot
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1 question contained herein after adoption of this Ordinance, the City Council may make such modification by
2 Resolution. In the event it becomes necessary, as determined by the City Council, to reschedule the
3 referendum on the proposed amendments to the City Charter set forth herein, the City Council may make
4 such modification by Resolution.

5 Section 5. Codification & Corrections. Any City Charter amendment provided for in this Ordinance
6 which receives affirmative votes from the majority of the votes cast shall be incorporated into the City Charter
7 of the City of Belle Isle. Any section, paragraph number, letter and/or any heading may be changed or
8 modified as necessary to effectuate the foregoing. Grammatical, typographical and similar like errors may be
9 corrected, and additions, alterations, and omissions not affecting the construction or meaning of this
10 Ordinance or the City Charter may be freely made.

11 Section 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this
12 Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether
13 for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and
14 independent provision, and such holding shall not affect the validity of the remaining portions of this
15 Ordinance.

16 Section 7. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other
17 Ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

18 Section 8. Directions to City Staff. City Staff under the direction of the City Manager are directed and
19 authorized to take such actions as are necessary and advisable to effect and carry out this Ordinance and the
20 City Charter amendments and referendum provided for herein. If the City Charter is amended, a copy of the
21 revised City Charter shall be filed with the Department of State in accordance with Section 166.031(2).

22 Section 9. Effective Dates. This Ordinance shall become effective immediately upon adoption by the
23 City Council of the City of Belle Isle, Florida. Any City Charter amendment provided for herein shall become
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effective immediately upon approval by the certified voters of Belle Isle and certification by the Supervisor of Elections or other appropriate officer or entity.

FIRST READING: _____, 2018

SECOND READING: _____, 2018

ADOPTED this _____ day of _____, 2018, by the City Council of the City of Belle Isle, Florida.

| | YES | NO | ABSENT |
|-----------------|-------|-------|--------|
| Ed Gold | _____ | _____ | _____ |
| Anthony Carugno | _____ | _____ | _____ |
| Jeremy Weinsier | _____ | _____ | _____ |
| Mike Sims | _____ | _____ | _____ |
| Harvey Readey | _____ | _____ | _____ |
| Jim Partin | _____ | _____ | _____ |
| Sue Nielsen | _____ | _____ | _____ |

Lydia Pisano, Mayor

ATTEST: _____

Yolanda Quiceno, CMC-City Clerk

Approved as to form and legality,

Kurt Ardaman, City Attorney

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document
4 ORDINANCE 18-13 was duly and legally passed by the Belle Isle City Council, in session assembled on the
5 _____ day of _____, 2018, at which session a quorum of its members were present.

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EXHIBIT "A"

Sec. 7.01. - Charter amendment.

(C) Passage. Charter amendments must pass by at least 60% of the total vote of at an election,