

ORDINANCE NO. 23-17

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, PROPOSING TEXTUAL AMENDMENTS TO THE CHARTER OF THE TOWN OF DUNDEE AND CODE OF ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA THAT WILL HAVE GENERAL APPLICATION THROUGHOUT THE CHARTER OF THE TOWN OF DUNDEE AND CODE OF ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA, AMENDING ANY REFERENCE TO TOWN TO CITY AND TOWN COMMISSIONER TO CITY COMMISSIONER; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE BY THE TOWN COMMISSION FOR THE PROPOSED AMENDMENTS TO BE PLACED ON THE BALLOT AT THE NEXT REGULAR ELECTION OR SPECIAL ELECTION CALLED FOR SUCH PURPOSE FOR A VOTE OF THE VOTERS OF THE TOWN OF DUNDEE, FLORIDA; AND PROVIDING FOR SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVNER'S ERRORS, REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE UPON FINAL PASSAGE.

WHEREAS, Section 166.031 of the Florida Statutes permits the amendment of any part or all of the Charter of the Town of Dundee, Florida by initiation of an Ordinance by the Town Commission; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that it would be advantageous to refer to the *Town* as *City* and *Town Commissioner* as *City Commissioner*, and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds it in the best interests of its citizens to initiate an ordinance proposing textual amendments that will have general application throughout the Charter and Code of Ordinances of the Town of Dundee to amend any reference to *Town* to *City* and *Town Commissioner* to *City Commissioner*.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA:

Section 1. This Ordinance consists of amendments to be read throughout the *Charter of the Town of Dundee* and *Code of Ordinances of the Town of Dundee, Florida*, with corresponding ballot title and ballot questions, to be submitted and proposed to the People of the Town of Dundee, Florida in referendum for approval, to wit:

Town. The word *Town* shall be amended to read *City*.

Town Commissioner. The word *Town Commissioner* shall be amended to read *City Commissioner*.

Section 2. The Town Commission factually finds that the proposed amendments and corresponding ballot title and questions required by § 5.03 of the *Charter of the Town of Dundee* and § 101.161(1), F.S. (2023), as stated in Section 3 of this Ordinance consists of a single subject.

Section 3. After final passage, the proposed amendments shall be placed on the ballot for a vote of the electors at the next general election April 2, 2024 held within the Town of Dundee or at a special election called for such purpose. This Ordinance shall take effect upon final passage subject to a vote of the electors referred to above. The ballot shall contain the following proposition:

Ballot Title and Language for Amendment:

ORDINANCE 23-17 PROPOSING TEXTUAL AMENDMENTS THAT WILL HAVE GENERAL APPLICATION THROUGHOUT THE CHARTER OF THE TOWN OF DUNDEE AND CODE OF ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA, AMENDING TOWN TO CITY AND TOWN COMMISSIONER TO CITY COMMISSIONER.

SHALL THE ABOVE DESCRIBED AMENDMENT BE ADOPTED?

YES (FOR APPROVAL) _____

NO (AGAINST APPROVAL) _____

Section 4. Any existing Ordinances and/or Resolutions of the Town of Dundee, Florida in conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

Section 5. If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining portions, provisions, and regulations of this Ordinance shall remain in full force and effect.

Section 6. Any scrivener's error created as a result of the passage of this Ordinance may be corrected by the Town Manager, without further legislative action, so long as the intent of this Ordinance is preserved, by filing a revised copy thereof with the Town Clerk's office marked "Revised" and the revision version number in the style of the Ordinance.

Section 7. After final passage of this Ordinance, the proposed amendments shall be placed on the ballot for a vote of the electors at the next general election and/or special election in April, 2024 held within the Town of Dundee. In accordance with § 166.031, F.S. (2023), the amendments proposed by this Ordinance in Section 3 shall take effect only upon the date of adoption of the amendment by a majority of the Town's electors voting in a referendum election.

PASSED on First Reading at the Regular meeting of the Town Commission of the Town of Dundee, Florida this 14th day of November, 2023.

PASSED and adopted on Second Reading/Public Hearing at the Regular meeting of the Town Commission of the Town of Dundee, Florida this 12th day of December, 2023.

TOWN OF DUNDEE

Mayor – Sam Pennant

ATTEST:

Town Clerk – Trevor Douthat

APPROVED AS TO FORM:

Town Attorney – Frederick J. Murphy

AMENDMENT:

_____ **BY REFERENDUM ON** _____, **2024.**