
City Charter, Section 2.2 Board of Commissioners created; qualifications; term of office; and vacancies.

- A. *Board Created.* There shall be a Board of Commissioners with all legislative powers of the City of Madeira Beach, Florida, vested therein, composed of Commission members occupying districts numbered one (1) through (4), and a Mayor. The Board of Commissioners, including the Mayor, shall be elected at large by the qualified voters of the City of Madeira Beach, Florida.
- B. *Qualifications and Term of Office.* The Commission members shall have been qualified electors and residents of the City of Madeira Beach, Florida, for one (1) year immediately prior to their qualifying for election, and in addition, each District-Commissioner shall be a resident of said district in which the candidate seeks to be a candidate for a period of six (6) months prior to the date of said application. The term of office for all District Commissioners shall be for a period of two (2) years. The Mayor may reside at the time of the election anywhere within the City of Madeira Beach, Florida; and the term of office for the Mayor shall be for a period of three (3) years. The terms of all members of the Commission, including the Mayor, will begin at the Board of Commissioners first meeting following the election, and shall continue until their successor has been duly elected and installed under this Charter. All vacancies occurring in the Commission between elections shall be filled in accordance with Section 2.2(E) of this Charter.
- C. *Vacancies, forfeiture of office; filling of vacancies.*
1. *Vacancies.* The office of a Commissioner shall become vacant upon the Commissioner's death, resignation, removal from office in any matter authorized by law or forfeiture of the office.
 2. *Forfeiture of Office.* A Commissioner shall forfeit the Commissioner's office if the Commissioner:
 - (a) Lacks at any time during the Commissioner's term of office any qualifications for the office prescribed by this Charter or by law, except that any District-Commissioner who changes residence from one district to another within the City during the course of the Commissioner's term of office or if the district boundaries are redrawn during the term of office, the District-Commissioner shall be permitted to serve out the Commissioner's term,
 - (b) Violates any expressed prohibition of this Charter,
 - (c) Is convicted of a felony or a misdemeanor involving moral turpitude, or
 - (d) Fails to attend three consecutive regular meetings, or regular workshop meetings of the Board of Commissioners without being excused by the Board of Commissioners.
 - (e) Is found to have knowingly violated the Sunshine Laws, Ethics Laws, or Public Records Laws by the Florida Ethics Commission or a court of competent jurisdiction.
 3. *Filling of Vacancies.* In the event of a vacancy in the office of the Mayor, the Vice-Mayor shall assume the office of Mayor. A vacancy of the office of District Commissioner or a vacancy occurring in the office of Mayor because the Vice-Mayor declines to accept the office of Mayor, shall be filled by a District Commissioner within 30 days of its occurrence by a majority vote of the remaining members of the Board of Commissioners. A District Commissioner is nominated to the office of Mayor because of a vacancy in the office of Mayor, the person so nominated shall not be required to resign as District Commissioner prior to being selected as Mayor. Any person selected to fill such a vacancy shall possess all the qualifications required of a Commission member by this charter and by law. Any person selected for the office of Mayor shall serve until the next regular election of the City, at which time a general election for the office of Mayor for a complete term of office will be held. The person selected to fill a vacancy in the office of District Commissioner shall serve the unexpired term of the office.

Notwithstanding the requirements of ARTICLE VII, Section 7.3 (e) that a quorum of the Board of Commissioners consists of three (3) members, if at any time the membership of the Board of Commissioners is reduced to less than three (3), the remaining members may convene under the provisions of this section to appoint additional members to raise the membership to three (3).

(Ord. No. 727, 10-4-1988/11-9-1988; Ord. No. 826, 12-6-1994; Ord. No. 829, 12-6-1994/3-11-1997; Ord. No. 890, 1-20-1998/3-10-1998; Ord. No. 996, 12-14-2004/3-8-2005; Ord. No. 2018-09 , § 1(Exh. A), 8-20-2018; Ord. No. 2018-16 , § 1, 1-8-2019; Ord. No. 2022-15 , § 1, 7-13-2022; Ord. No. 2022-32 , §§ 1, 2, 12-14-2022)