

ORDINANCE NO. 33-24-25

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA PROPOSING AN AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTIC BEACH ARTICLE II, THE COMMISSION, SEC. 6 – POWERS; SUBMITTING THE AMENDMENT TO THE CHARTER FOR CONSIDERATION BY THE ELECTORS OF THE CITY FOR APPROVAL OR DISAPPROVAL; PROVIDING FOR THE APPEARANCE OF THE CHARTER AMENDMENT ON THE BALLOT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Atlantic Beach, Florida, after receiving input from the Charter Review Committee and from its citizens, finds that the proposed amendment to the City Charter as attached to this Ordinance should be submitted to the qualified electors of the City of Atlantic Beach for consideration; and

WHEREAS, the City of Atlantic Beach, appreciates the diligent efforts of the Charter Review Committee comprised of: Bruce Andrews, Debbie Buckland, Charles "Chip" Drysdale, Kelly Elmore, Ellen Golombek, Kirk Hansen, Mitchell Reeves, Suzanne Shaughnessy, Jennifer Lagner, Dawn Scott, Steve Swann, and Donald Young pursuant to and under the Chairmanship of William "Bill" Gulliford; and

WHEREAS, the City Commission of the City of Atlantic Beach, Florida finds that the adoption of this Ordinance is in the best interest of Atlantic Beach, Florida and its citizens.

NOW THEREFORE, BE IT ENACTED by the City Commission on behalf of the people of the City of Atlantic Beach, Florida:

SECTION 1. Proposed Amendment to Charter. The City Commission of the City of Atlantic Beach, Florida hereby proposes the following amendment to the City Charter:

Article II – The Commission

Sec. 6 – Qualifications and disqualifications, to modify the number of years that a full-time resident and elector must reside in the City in order to qualify for running for city commission from two (2) years to four (4) years prior to qualifying,

all as set forth in Exhibit A attached hereto and incorporated herein by reference, which, if approved by the qualified electors of the City, would replace the former provision of Section 6 of the City Charter.

SECTION 2. Submission of Charter Amendment to Public Referendum. The amendment to the Charter of the City of Atlantic Beach, Florida set forth in the attached Exhibit A shall be submitted to public referendum at the next general election held in the City of Atlantic Beach, Florida for approval or disapproval by the qualified electors of the City.

SECTION 3. Appearance of Charter Amendments on Ballot.

- a. The ballot title to be used in said election shall be as follows:

PROPOSED AMENDMENT TO THE ATLANTIC BEACH CITY CHARTER
MODIFYING THE RESIDENCY REQUIREMENT FOR CITY COMMISSION

- b. The ballot summary shall be as follows:

Shall the qualifications provisions set forth in Section 6 of the Atlantic Beach City Charter be modified to require that a full-time resident and elector seeking to run for city commission must reside in the City of Atlantic Beach for at least four (4) years (instead of two (2) years) prior to qualification, be adopted?

Below the summary shall appear the following:

YES _____

NO _____

SECTION 4. Effective Date. The proposed amendment to the Charter of the City of Atlantic Beach shall become effective upon approval by the electors of the City and shall be filed with the Florida Department of State as required by law.

PASSED by the City Commission on first reading, this 24th day of June, 2024.

PASSED by the City Commission on second and final reading, this 8th day of July, 2024.

CITY OF ATLANTIC BEACH


Curtis Ford, Mayor

ATTEST:


Donna L. Bartle, City Clerk

Approved as to form and correctness:


Jason R. Gabriel, City Attorney

EXHIBIT A

**Proposed Amendment to Section 6 of Article II
of the City Charter**

CITY OF ATLANTIC BEACH

CHARTER

ARTICLE II. – THE COMMISSION

Sec. 6. Qualifications and disqualifications.

Members of the city commission shall have been full-time residents and electors of the city for at least ~~two~~ four years immediately prior to qualifying. ~~They shall be electors in the city.~~ Full-time residency shall be defined as the person's principal place of abode during the year. Members of the city commission shall not hold any other elective office. Any member of the city commission ceasing to possess the foregoing qualifications or who shall have been convicted of a crime punishable by more than one (1) year of imprisonment or a crime involving moral turpitude, shall forfeit the seat prior to the next meeting of the city commission. Absence from four consecutive regular meetings of the city commission shall operate to vacate the seat of a member, unless the member's absence is excused by the city commission by a resolution setting forth the fact of such excuse duly entered upon the minutes.

Words ~~stricken~~ are deletions; words underlined are additions.