

ORDINANCE NO. 2025-07

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO APPORTIONMENT OF CITY COUNCIL DISTRICTS; MAKING FINDINGS; AMENDING CHAPTER 22 OF THE CITY CODE, ENTITLED "ELECTIONS;" ADOPTING NEW MAPS AMENDING THE BOUNDARIES OF CITY COUNCIL DISTRICTS ONE, FIVE AND SIX; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE

WHEREAS, Section 22-35(c), City Code, provides that periodically, after newly annexed territories have been assigned to appropriate City Council districts, the City Council shall adopt an ordinance amending boundaries of the City Council districts for the sole purpose of adding said newly annexed territories to the district descriptions; and

WHEREAS, during the period January 2024 through December 2024, the City Council adopted eight ordinances providing for the annexation of ten parcels of land; and

WHEREAS, the real property annexed into the City by Ordinance Nos. 2024-01, 2024-04, 2024-34, 2024-40, 2024-49, 2024-53, 2024-61 and 2024-64 are located in City Council Districts One, Five and Six, consistent with the regulations for location of districts in Sections 22-35 and 22-36, City Code; and

WHEREAS, the City Council adopts this ordinance in accordance with Section 22-35(c), City of Melbourne Code of Ordinances, the City's Charter and home rule powers set forth in Article VIII, Section 2, Florida Constitution of 1968 and Section 166.021, Florida Statutes.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 22-34 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 22-34. Council districts.

For the election of members, other than the mayor, to the city council, the city is divided into six consecutively numbered city council districts of territory. The city is apportioned into city council districts as follows:

(1) Council District 1 is composed of:

a. That part of Tract 641.02 made up of:

* * * *

2. That part of blocks 1001, 1017, 1020 and 2000 located within the city.

* * * *

(5) Council District 5 is composed of:

* * * *

h. That part of Tract 646.02 made up of:

* * * *

2. That part of blocks 1002, 1007, 2005, 2006, 2016, 2017, 2020, 2022, 2028, 2030, 2032, 2033, 2034 and 2037 located within the city.

* * * *

j. That part of Tract 713.54 made up of:

1. Blocks 1046 and 2038 located within the city.

2. That part of blocks 1019, 1020, 1021, 1022, 1024, 1025, 1043, 1045, 1052, 1053, 1054, 2005, 2035, 2036, 2039, 2040, 2041, 2044, 2046, 2050, 2053, 2059, 2060, 2062, 2063, 2084 and 2132 located within the city.

(6) Council District 6 is composed of

a. That part of Tract 641.02 made up of:

* * * *

2. That part of blocks 2011, 2013, 2014, 2020 and 2023 located within the city.

* * * *

c. That part of Tract 641.26 made up of:

* * * *

2. That part of blocks 1004, 1006, 1007, 1009, 1012, 1019, 1021, 2000, 2004, 2017 and 2020 located within the city.

* * * *

- e. That part of Tract 641.30 made up of:

1. Blocks 3023, 3025, ~~and 3029~~ and 3045 located within the city.

* * * *

SECTION 2. Adoption of Maps. That attached hereto and incorporated herein by this reference are revised maps of City Council Districts One, Five and Six to reflect the annexations accomplished by Ordinance No. 2024-01 recorded in Official Records Book 9978, Page 472, Public Records of Brevard County, Florida, Ordinance No. 2024-04 recorded in Official Records Book 9978, Page 475, Public Records of Brevard County, Florida, Ordinance No. 2024-34 recorded in Official Records Book 10086, Page 1370, Public Records of Brevard County, Florida, Ordinance No. 2024-40 recorded in Official Records Book 10134, Page 1909, Public Records of Brevard County, Florida, Ordinance No. 2024-49 recorded in Official Records Book 10156, Page 2862, Public Records of Brevard County, Florida, Ordinance No. 2024-53 recorded in Official Records Book 10166, Page 2939, Public Records of Brevard County, Florida, Ordinance No. 2024-61 recorded in Official Records Book 10217, Page 1319, Public Records of Brevard County, Florida, and Ordinance No. 2024-64 recorded in Official Records Book 10184, Page 1522, Public Records of Brevard County, Florida.

The attached maps supersede the maps of City Council Districts One, Five and Six previously adopted.

SECTION 3. Severability/Interpretation Clause.

(a) That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, illegal, or otherwise void by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, illegality, or other declaration shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text. Asterisks (* * * *) indicate an omission from the ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to adoption of this ordinance.

SECTION 4. That this ordinance shall become effective immediately upon its adoption in accordance with the Charter of the City of Melbourne.

SECTION 5. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 28th day of January, 2025 and adopted on the second and final reading at a regular meeting of the City Council on the 11th day of February, 2025.

BY: _____
Paul Alfrey, Mayor

ATTEST: _____
Kevin McKeown, City Clerk

[CITY SEAL]

Attachments: Maps of Council Districts One, Five and Six
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