

ORDINANCE 2024-831

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON AUGUST 20, 2024; AMENDING THE CITY CHARTER BY REPEALING PART I, ARTICLE IV, SECTION 4.06. – CITY CANVASSING BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS:

- A. The Charter of the City of Inverness, Florida (the “City Charter”) was adopted by Chapter 63-1442, Laws of Florida.
- B. Pursuant to Section 166.021(4), Florida Statutes, changes in the City Charter that govern the distribution of powers among elected officers or matters prescribed by the Charter relating to appointed boards may only be repealed or amended by referendum.
- C. Section 166.031, Florida Statutes, provides the methods by which a municipality may amend its Charter by referendum.
- D. The City Council recommends that the City Charter be amended by repealing Section 4.06 as set forth below.
- E. Section 4.06 of the Charter requires canvassing of city elections by a City canvassing board, thereby prohibiting canvassing of City elections by anyone other than the City canvassing board.
- F. The City Council believes that amending such provision is appropriate because most, if not all, City of Inverness ballot items appear on Citrus County-wide general or special election ballots, which are administered by the Citrus County Supervisor of Elections (“SOE”) and canvassed by the Citrus County Canvassing Board. In light of the foregoing and applicable election laws, it is impracticable for a City canvassing board to canvass a City ballot item alongside a County Canvassing Board charged with canvassing other items on the same ballot.
- G. Delegating canvassing oversight to the SOE increases the effectiveness, efficiency and cost effectiveness of City Elections.
- H. The proposed amendment set forth herein promotes public welfare and advances the interests of the City of Inverness, its resident voters, and the strength and stability of the election process.
- I. The City Council hereby submits the question of amending the City Charter to a vote of the electors of the City as set forth below at a referendum called for such purpose pursuant to Section 166.031, Florida Statutes.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Inverness, Florida as follows:

Section 1. The foregoing recitals are confirmed as being true and correct, and are hereby incorporated into this ordinance upon adoption.

Section 2. The City Council hereby calls for and orders for the holding of a referendum election to be held on August 20, 2024, the same day as the Primary Election. To determine whether the amendment to the City Charter appearing in Section 3 of this ordinance shall be adopted, all qualified electors of the City of Inverness shall be entitled and permitted to vote in the referendum. The referendum shall be held and conducted in the same manner prescribed by law (including the City Charter) for other City elections.

Section 3. That Section 4.06 of City Charter, City of Inverness, Florida, is hereby repealed, effectively deleting the following language shown in ~~strikethrough~~:

~~Section 4.06. — City canvassing board.~~

~~The city canvassing board shall be composed of three (3) members, which shall be composed of the Charter officers and the mayor or councilmen, but none of these members may be candidates for election. The chairman shall be the city clerk. At the close of the polls of any city election, or as soon thereafter as practicable, the board shall meet at a place and time designated by the chairman and shall proceed to publicly canvass the absentee elector's ballots and then publicly canvass the vote as shown by the returns then on file in the office of the supervisor of city elections. The board shall prepare and sign a certificate containing the total number of votes cast for each candidate or other measure voted on. The certificate shall be placed on file with the city clerk. In the event of a protest of the election returns, the canvassing board shall follow the procedures outlined in Section 102.166, Florida Statutes, as amended, or any successor statute, to determine the result of said protest.~~

Section 4. The form of the ballot for the Charter amendment provided for by this ordinance shall be as follows:

REPEALING SECTION 4.06 CITY OF INVERNESS CHARTER, ENTITLED "CITY CANVASSING BOARD"	
Pursuant to its home rule powers granted by the Florida Constitution and Florida Statutes, the City Council has provided for administration of City elections by the Citrus County Supervisor of Elections. Shall the City Charter be amended to repeal Section 4.06, "City Canvassing Board," thereby deleting a requirement to utilize a City canvassing board for City elections and allow canvassing to be performed by the Citrus County Canvassing Board?	
_____	Yes, for approval.
_____	No, for rejection.

Section 5. The City Clerk is hereby authorized and directed to advertise the referendum election contemplated herein as required by law and to take all appropriate actions necessary to carry out the provisions of this ordinance.

Section 6. Upon approval by a majority of the electors voting in the referendum, the amendment shall be incorporated into the City Charter and the City Clerk shall file the revised Charter with the Florida Department of State.

Section 7. The Citrus County Supervisor of Elections is requested to conduct the election scheduled hereby, canvas the ballots and certify the election results to City Clerk. The City Clerk shall declare the results thereof and shall include such certified returns in the minutes of the Inverness City Council at its first meeting after certification.

Section 8. The City Clerk shall request that a copy of this ordinance be posted at each of the office of the County Supervisor of Elections and at each place where electors of the City will be voting at the referendum.

Section 9. Should any provision or section of this ordinance be held by a court of competent jurisdiction to be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall take effect upon approval by the mayor, or upon becoming law without such approval.


Upon motion duly made and carried on first reading, the foregoing Ordinance was approved on the 4th day of June, 2024.

Upon motion duly made and carried on second reading, the foregoing Ordinance was adopted on the 18th day of June, 2024.

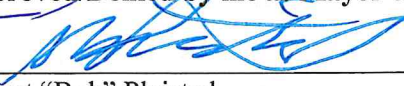
CITY OF INVERNESS

By: 
Jacquie Hepfer
President, Inverness City Council

ATTEST:

By: 
Susan Jackson
City Clerk

Approved/Denied by me as Mayor of the City of Inverness, Florida, on 6/18, 2024.

By: 
Robert "Bob" Plaisted
Mayor

Approved as to form and legality:

By: 
Robert W. Batsel, Jr.
City Attorney