

1 Introduced by the Council President at the request of the Supervisor  
2 of Elections:  
3

4  
5 **ORDINANCE 2024-764-E**

6 AN ORDINANCE REPEALING SECTION 15.01 (RECALL BY  
7 VOTERS), ARTICLE 15 (REMOVAL OF OFFICERS), *CITY*  
8 *CHARTER*, IN ACCORDANCE WITH SECTION 100.361,  
9 *FLORIDA STATUTES*; PROVIDING FOR CODIFICATION  
10 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.  
11

12 **WHEREAS**, the State of Florida has legislatively preempted  
13 local governments in certain areas thereby precluding cities and  
14 counties from regulating the same areas of law; and

15 **WHEREAS**, pursuant to Section 100.361, *Florida Statutes*, which  
16 outlines municipal recall procedures, the Florida Legislature clearly  
17 states its intent that municipal recall procedures shall be uniform  
18 statewide and accordingly all municipal charter and special law  
19 provisions which are contrary to Section 100.361, *Florida Statutes*,  
20 are repealed to the extent of conflict; and

21 **WHEREAS**, Section 15.01 of the City Charter outlines local  
22 recall procedures for the consolidated government of the City of  
23 Jacksonville and is in conflict with Section 100.361, *Florida*  
24 *Statutes*; and

25 **WHEREAS**, pursuant to Subsection 3.01(e), *City Charter*, the  
26 City Council has the power to repeal or amend any provision of the  
27 City Charter by Ordinance to the same extent as could be done by the  
28 Legislature of the State of Florida; and

29 **WHEREAS**, elimination of preempted language in the City Charter  
30 will prevent mistakes in the application, implementation, and use of  
31 the law; now therefore



1 the date of filing such petition, the supervisor of elections  
2 shall examine the petition and ascertain whether the petition is  
3 signed by the required number of persons and whether such persons  
4 are qualified voters as shown by the registration books. He shall  
5 attach to the petition his certificate showing the result of such  
6 examination. If the supervisor of elections determines that the  
7 petition is insufficient, it may be amended within 15 days from  
8 the date of said certificate. The supervisor of elections shall,  
9 within 15 days after such amendment, make like examination of the  
10 amended petition. If he again determines that the petition is  
11 insufficient, it shall be returned to the person filing the same,  
12 without prejudice, however, to the filing of a new petition to the  
13 same effect. If the supervisor of elections shall determine that  
14 any petition is duly executed and in proper form, he shall at once  
15 order and fix a date for holding a recall election not less than  
16 30 days or more than 60 days from the date on which he determines  
17 the petition to be sufficient. The supervisor of elections shall  
18 make or cause to be made publication of notice of such recall  
19 election. A majority of the votes cast in such election shall be  
20 required to remove the officer. Upon such removal, a vacancy shall  
21 exist in the office.

22 **Section 2. Codification Instructions.** The Codifier and  
23 the Office of General Counsel are authorized to make all chapter and  
24 division "tables of contents" consistent with the changes set forth  
25 herein. Such editorial changes and any others necessary to make the  
26 *Ordinance Code* consistent with the intent of this legislation are  
27 approved and directed herein, and changes to the *Ordinance Code* shall  
28 be made forthwith and when inconsistencies are discovered.

29 **Section 3. Effective Date.** This Ordinance shall become  
30 effective upon signature by the Mayor or upon becoming effective  
31 without the Mayor's signature.

1  
2  
3  
4  
5  
6

Form Approved:

          /s/ Mary E. Staffopoulos          

Office of General Counsel

Legislation Prepared By: Tiffiny Douglas Pinkstaff

GC-#1649442-v1-Charter\_Amd\_-\_Repeal\_Recall\_Provisions\_(SOE).docx