

SPONSORED BY:

COUNCILMAN BRENT ROGERS



ORDINANCE NO. 2025-08

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, RELATING TO DURATIONAL RESIDENCY REQUIREMENTS FOR QUALIFICATION AS ELECTOR; AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, ENTITLED "ELECTIONS" BY AMENDING SECTION 9-7. "ELECTOR"; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, Constitution of the State of Florida and Section 166.021, Florida Statutes, authorizes the City of Neptune Beach to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the Florida Supreme Court has consistently found that the right to seek public office is not absolute and may be subjected to reasonable conditions and restraints in order to protect the integrity of political processes; and

WHEREAS, a reasonable durational residency requirement for qualification as an elector in a municipal election promotes the legitimate public objectives of ensuring that a candidate for election is a bona fide resident of the municipality they seek to represent, has lived in such municipality long enough to know the issues confronting it, and is known by the voters; and

WHEREAS, no prohibition exists as a matter of law against a municipality's imposing a reasonable durational residency requirement as qualification for municipal office; and

WHEREAS, an efficient and effective local representative government is necessary to promote the health, safety, welfare, and morals of citizens of the City of Neptune Beach; and

WHEREAS, the recitals to this Ordinance (whereas clauses) are adopted as the legislative findings and intent of the City Council of the City of Neptune Beach.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA THAT:

SECTION ONE: LEGISLATIVE FINDINGS AND INTENT.

(a). The City Commission of the City of Neptune Beach hereby adopts the above Whereas clauses as legislative findings which shall not be codified as a part of this Ordinance.

(b). The City of Neptune Beach has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION TWO: AMENDMENT

Section 9-7, Code of Ordinances of the City of Neptune Beach is hereby amended as follows (underlined text shall mean additions and ~~strikethrough~~ text shall mean deletions):

Sec. 9-7. Elector.

All persons who possess the qualifications requisite to an elector at a general state election, and shall have resided in the city for ~~six (6) months~~ one (1) year preceding the election, shall be deemed a qualified elector of the city.

SECTION THREE: CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION FOUR: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the Code of Ordinances of the City of Neptune Beach, Florida and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance," or similar words, may be changed to "Sections," "Article," or other appropriate word; provided, however, that Sections Three, Four, and Five shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION FIVE: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION SIX: EFFECTIVE DATE. This Ordinance shall take effect immediately upon approval and adoption.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

VOTE RESULTS OF FIRST READING:

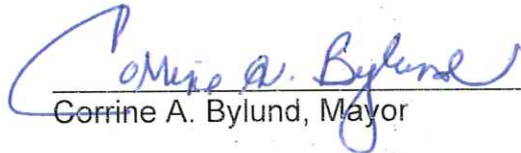
Mayor Corrine A. Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	YES
Councilor Brent Rogers	YES
Councilor Tim Horvath	YES

Passed at First Read this 5th day of May, 2025.


VOTE RESULTS OF SECOND READING:

Mayor Corrine A. Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	ABSENT
Councilor Brent Rogers	YES
Councilor Tim Horvath	YES

Passed at Second and Final Read this 19th day of May, 2025.

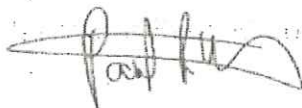

Corrine A. Bylund, Mayor

ATTEST:


Catherine Ponson, City Clerk



Approved as to form and content:



Paul Waters, City Attorney