

Ordinance No. 24-O-22

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF DETERMINING WHETHER THE CITY CHARTER SHOULD BE AMENDED REGARDING TWO-CANDIDATE ELECTIONS; AMENDING SECTION 120 OF THE CHARTER OF THE CITY OF TALLAHASSEE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in October 2023, the City Commission established a charter review committee (CRC) to review and submit recommendations on specific sections of the City Charter to the City Commission; and

WHEREAS, on April 10, 2024, the City Commission considered the recommendations of the CRC and voted to submit to the electors a proposed charter amendment regarding two-candidate elections; and

WHEREAS, pursuant to Section 166.031(1), Florida Statutes, the City Commission must adopt proposed charter amendments by ordinance; and

WHEREAS, the City Commission intends to submit the following charter amendment concerning two-candidate elections to the electors of the City of Tallahassee at a referendum election to be held in conjunction with the general election on November 5, 2024; and

WHEREAS, the proposed charter amendment will not take effect unless approved by a majority of those electors voting in the next general election.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

Section 1. Section 120 of the Charter is hereby amended and shall read as follows:

Sec. 120. When ~~regular~~ general municipal elections held; method and manner of holding special elections.

Effective March 1, 2003, ~~regular~~ general municipal elections shall be held on the first Tuesday after the first Monday in November of each even numbered year. The municipal

primary election for the nomination of mayor or commissioners, if necessary, shall be held on the same date as the State's Primary Election. A municipal primary election for the nomination of mayor or any commissioner shall only be necessary in an election where three or more persons, none of whom are write-in candidates, qualify as candidates. The time of qualifying for municipal office shall be as provided by state law. The manner and times for city commission candidates seeking to qualify by petition shall be as provided by state law. The city commissioners shall by ordinance, that may not be inconsistent with this Charter, otherwise prescribe the method, manner and conduct of all elections of said city and may contract with the Supervisor of Elections of Leon County to conduct all or any part of said elections and for such purpose may furnish personnel, services and materials, including the services of the City Treasurer-Clerk and City Attorney to the Supervisor, without reimbursement.

Section 2. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Severability. If any portion of this Ordinance is for any reason held invalid or declared to be unconstitutional, inoperative, or void by any court of competent jurisdiction, such holdings shall not affect the validity of the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective only upon approval of the related City of Tallahassee referendum in the 2024 general election.

1 INTRODUCED in the City Commission on the 24th day of April, 2024.

2 PASSED by the City Commission on the 8th day of May, 2024.

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4 CITY OF TALLAHASSEE
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8 By: _____
9 John E. Dailey
10 Mayor
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13 ATTEST:

APPROVED AS TO FORM:

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17 By: _____
18 James O. Cooke, IV
19 City Treasurer-Clerk

By: _____
Amy M. Toman
City Attorney