

**ORDINANCE NO. O-21-07**

**AN ORDINANCE OF THE CITY OF SEBASTIAN, INDIAN RIVER COUNTY, FLORIDA, SCHEDULING AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2021, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF SEBASTIAN, THE QUESTION OF WHETHER OR NOT TO AMEND SECTION 2.02 OF THE CITY CHARTER, RELATING TO INCLUDE THE PROVISION THAT ONCE ELECTED OR APPOINTED, A COUNCIL MEMBER MUST MAINTAIN CONTINUOUS PHYSICAL RESIDENCY AND VOTER REGISTRATION IN THE CITY OF SEBASTIAN THROUGHOUT THEIR TERM OF OFFICE; PROVIDING BALLOT LANGUAGE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.031 of Florida Statutes provides that the governing body of a municipality may by ordinance submit to the electors of said municipality a proposed amendment to all or parts of its City Charter; and

**WHEREAS**, in accordance with Section 5.03 of the City Charter, the Charter Review Committee has met, held public hearings, and recommended to the City Council certain revisions to the Charter; and

**WHEREAS**, the City Council wishes to call an election in the City of Sebastian on Tuesday, November 2, 2021, for the purpose of submitting to the electors of the City of Sebastian the question stated herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEBASTIAN, FLORIDA, that:**

**Section 1. ELECTION.** A Citywide election is hereby called and scheduled for Tuesday, November 2, 2021 in the City of Sebastian, Florida, for the purpose of submitting to the qualified electors of the City of Sebastian the proposed amendment to the City Charter in the form attached hereto and made a part hereof.

**Section 2. BALLOT.** The purpose of this election shall be to present a referendum issue to the electors of the City of Sebastian of whether or not to adopt revisions to the City Charter. The ballot shall be substantially in the following form:

**CITY OF SEBASTIAN, FLORIDA  
CHARTER AMENDMENT  
Ballot Question #2**

**REQUIRE ELECTED OR APPOINTED COUNCIL MEMBERS MAINTAIN CONTINUOUS RESIDENCY AND VOTER REGISTRATION WITHIN THE CITY**

Shall Section 2.02 of the City of Sebastian City Charter be amended, as provided

in Ordinance O-21-07, to include that once elected or appointed, council member must maintain a continuous physical residency and voter registration in the City of Sebastian throughout their term of office?

\_\_\_\_\_ Yes for Approval

\_\_\_\_\_ No for Rejection

**Section 3. ELECTION RESULTS.** The result of such election shall be determined by a majority of the qualified electors of the City of Sebastian voting on the proposal.

**Section 4. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its adoption by the City Council.

The foregoing Ordinance was moved for adoption by Councilmember Jones. The motion was seconded by Councilmember McPartlan and, upon being put to a vote, the vote was as follows:

Mayor Ed Dodd	<u>aye</u>
Vice Mayor Jim Hill	<u>aye</u>
Councilmember Fred Jones	<u>aye</u>
Councilmember Chris Nunn	<u>aye</u>
Councilmember Bob McPartlan	<u>aye</u>

The Mayor thereupon declared this Ordinance duly passed and adopted this 23rd day of June, 2021.

CITY OF SEBASTIAN, FLORIDA

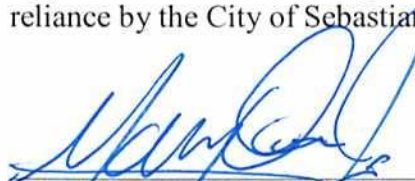
By:   
Mayor Ed Dodd



ATTEST:

Approved as to form and legality for reliance by the City of Sebastian only:

  
Jeanette Williams, MMC  
City Clerk

  
Manny Anon, Jr., Esq.  
City Attorney

**I HEREBY CERTIFY** that notice of public hearing on this Ordinance was published in the TC Palm Press Journal as required by State Statute, that one public hearing on the Ordinance was held on the 23 day of June, 2021, and that following said public hearing this Ordinance was passed by City Council for placement on the November 2, 2021 ballot.

  
Jeanette Williams, MMC  
City Clerk

**ATTACHMENT TO ORDINANCE O-21-07  
PROPOSED CHARTER AMENDMENT LANGUAGE**

**Sec. 2.02. - Eligibility.**

No person shall be eligible to hold the office of council member unless he or she is a qualified elector in the city and actually continually resided in the city for a period of one (1) year immediately preceding the final date for qualification as a candidate for said office. Once elected or appointed, the council member must maintain a continuous physical residency and voter registration in the City of Sebastian throughout their term of office.