

ORDINANCE NO. O-21-11

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 4.02 (B) - FILING OF CANDIDATE'S OATH; FEE OF THE CITY CHARTER TO CHANGE THE DAYS A CANDIDATE HAS TO QUALIFY FOR ELECTION TO AT LEAST EIGHTY-ONE (81) DAYS, BUT NO MORE THAN NINETY-SIX (96) DAYS, PRIOR TO THE DAY OF THE ELECTION; 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 #6**

ADJUST DAYS FOR CANDIDATES TO QUALIFY FOR ELECTION

Shall Section 4.02 (b) of the City Charter be amended, as provided in Ordinance O-21-11 to adjust the days a candidate has to qualify for election to at least 81 days but no more than 96 days prior to the day of the election?

_____ 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.

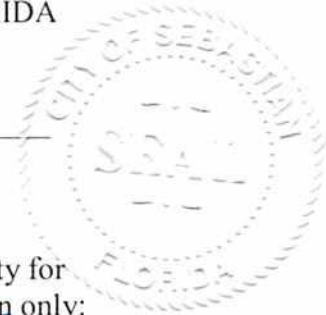
The foregoing Ordinance was moved for adoption by Councilmember Hill. The motion was seconded by Councilmember McPartlan and, upon being put to a vote, the vote was as follows:

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

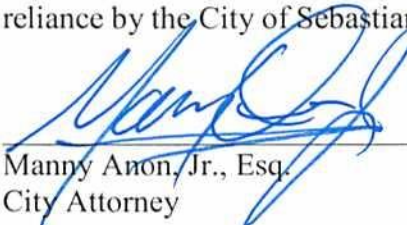
By: 
Mayor Ed Dodd



ATTEST:


Jeanette Williams, MMC
City Clerk

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


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-21-11
PROPOSED CHARTER AMENDMENT LANGUAGE**

Sec. 4.02. - Filing of candidate's oath; fee.

- (a) Each candidate, in order to qualify for election to the office of council member, shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the city clerk and shall comply with the provisions of Florida law.
- (b) The oath set forth in subsection (a) shall be filed with the city clerk at least ~~sixty (60)~~ eighty-one (81) days, but no more than ~~seventy-five (75)~~ ninety-six (96) days, prior to the day of the election, along with payment of a nonrefundable filing fee in an amount to be set forth by Code.