

CITY OF SPRINGFIELD, FLORIDA

ORDINANCE NO. 483

**AN ORDINANCE OF THE CITY OF SPRINGFIELD, FLORIDA, AMENDING SECTION 12 OF THE CHARTER OF THE CITY; CHANGING THE REQUIREMENT TO HOLD MUNICIPAL GENERAL ELECTIONS FROM EVERY YEAR TO EVERY OTHER YEAR; MODIFYING THE TERMS OF OFFICE FOR THE EXISTING MAYOR AND CITY COMMISSIONERS AND FUTURE CITY COMMISSIONERS; DIRECTING THE SUPERVISOR OF ELECTIONS PLACE A REFERENDUM ON THE BALLOT OF THE NEXT GENERAL ELECTION; PROVIDING BALLOT LANGUAGE; PROVIDING FOR NOTICE OF REFERENDUM IN ACCORDANCE WITH LAW; PROVIDING FOR CODIFICATION UPON PASSAGE AT REFERENDUM; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

**WHEREAS**, Section 12 of the City of Springfield (the "City") City Charter provides that municipal general elections shall be held every year; and

**WHEREAS**, annual elections are costly to the citizens of the City; and

**WHEREAS**, the City desires to amend its Charter to eliminate the requirement to hold municipal general elections every year and, instead, require that the City to hold elections every other year; and

**WHEREAS**, Section 166.031 of the Florida Statutes states that municipal charter amendments require approval at referendum by a majority of the city's electors; and

**WHEREAS**, if approved at referendum, the Commission desires to extend the terms of the existing Mayor and the terms of the existing City Commissioners of Ward 3 and Ward 4 to accomplish the transition from elections every year to elections every other year.

**NOW THEREFORE**, Be it Hereby Enacted by the People of the City of Springfield, Florida:

**SECTION 1.** Provided that approval is obtained by a majority of the City's electors

at referendum, Section 12 of the City Charter of the City of Springfield is amended to read as follows (deleted text stricken, new text **bold and double underlined**):

## THE CHARTER

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### Sec. 12. Elections.

(1) *Generally; registration; qualifying petition:* The first municipal election under this act shall be held on the first Tuesday after the first Monday in September of the year 1952, and all subsequent regular municipal elections shall be held annually thereafter on the third Tuesday after the first Monday in September. All persons elected shall take office on the fourth (4<sup>th</sup>) Tuesday after the first Monday in September of the year elected. No person shall be allowed to vote at any election for the purpose of electing a mayor-commissioner or commissioners of the city commission for said city, who is not a qualified voter under the state law and who has not resided in the city for six (6) months next preceding such an election and who has not registered as a voter of said city in such manner as may be prescribed by ordinance. The city commission shall, by ordinance, prescribe the method and manner of holding all elections in said city, and shall provide when and how special elections shall be called and held, which may not be provided for by the terms of this act, and all elections shall be conducted substantially on the principles adopted for state elections insofar as there is no conflict with the terms of this act. The city commission may, by ordinance, prescribe the method, manner and conduct of all elections of said city not in conflict with this act. The procedure for registration of voters shall be as provided by general law for cities or counties. Canvass of returns shall be by the city commission. Candidates for office of city commissioner shall file a qualifying petition signed by not less than fifteen (15) qualified voters of the city (or of the ward from which he is a candidate if the city is divided into wards) and candidates for office of mayor-commissioner shall file a qualifying petition signed by not less than thirty (30) qualified voters of the city. Qualifying petitions must be filed with the city auditor and clerk not less than fifteen (15) days prior to date of election.

(2) *Commissioner terms and times of election; filling vacancies; ward division authorized:* At the first election held under this act, the two (2) commissioners receiving the highest number of votes shall serve for two (2) year terms and the three (3) commissioners receiving the three (3) next highest number of votes shall serve for one (1) year terms. If prior to the first election, the city is divided into five (5) wards, then the commissioners elected at the first election from wards two (2) and four (4) shall be elected for two (2) year terms and those elected from wards one (1), three (3) and five (5) shall be elected for one (1) year terms. A mayor-commissioner shall be elected for a two (2) year term. At the election to be held under this act in September, 1967, one (1) vacancy in the office of the city commissioner shall not be filled, thereby reducing the total number of commissioners to five (5). ~~The present terms of office which were established at the first election under this charter are hereby confirmed and at each annual election hereafter, all vacancies~~

occurring shall be filled by elections for two (2) year terms. The city shall hold elections for the mayor-commissioner and commissioners every year ending in an even number after the election of 2010. The mayor-commissioner and commissioners from wards 3 and 4 shall be elected every four (4) years starting with the election of 2012. Commissioners from wards 1 and 2 shall be elected every four years starting with the election of 2010.

**SECTION 2.** The Supervisor of Elections of Bay County , Florida is hereby directed to place the following ballot question before the electors of the City at the next general municipal election:

**PROPOSITION TO CHANGE THE CITY'S GENERAL ELECTION CYCLE  
FROM EVERY YEAR TO EVERY OTHER YEAR**

Proposition to revise the City's Charter to change the municipal general election cycle from elections every year to elections every other year starting in 2010. The mayor and city commissioners elected in 2010 and thereafter shall serve four year terms. The terms of the current Mayor and Commissioners for wards 3 and 4 shall be extended by one year.

Yes—for the proposition

No—against the proposition

**SECTION 3.** The Supervisor of Elections of Bay County shall ensure that notice of the referendum election required by this Ordinance is advertised in accordance with the provisions of Florida Statutes.

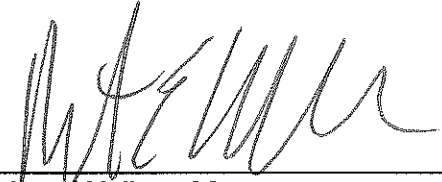
**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 5.** The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Springfield City Charter after approval of the proposal at referendum by a majority of the City's electors. Unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official

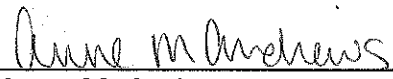
record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

**SECTION 6.** This Ordinance shall take effect immediately upon passage.

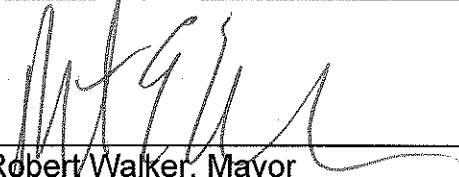
**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Springfield, Florida, this 7<sup>th</sup> day of December, 2009.

  
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Robert Walker, Mayor

ATTEST:

  
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Anne M. Andrews  
Interim City Clerk

**EXAMINED AND APPROVED** by me this 7<sup>th</sup> day of December, 2009.

  
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Robert Walker, Mayor

First Reading: 11/2/09

Published on: 11/24/09

Second Reading: 12/7/09