

ORDINANCE 2020-19

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 3.02, OF THE CHARTER OF THE CITY OF LAKE WALES TO INCREASE THE RESIDENCY REQUIREMENT FOR THE MAYOR OR COMMISSIONER TO THREE YEARS; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Lake Wales (“City Commission”) is the governing body of the City of Lake Wales, Florida, an incorporated Florida municipality; and

WHEREAS, §8-86 of the Lake Wales Code of Ordinances and §166.031, Florida Statutes, sets forth the process for amending the Charter of a Florida municipality and specifically allows for charter amendments to be proposed to municipal electors by the municipality’s governing body; and

WHEREAS, the City Commission of the City of Lake Wales finds it in the best interests of the citizens of the City to initiate an ordinance proposing an amendment to Article III, Section 3.02 of the City’s Charter to provide a residency requirement for mayor or city commission member from one year to three years to allow for a better understanding of the community prior to seeking elective office; and

WHEREAS, the City Commission of the City of Lake Wales finds that this ordinance proposes a single-subject amendment to the *Charter of the City of Lake Wales, Polk County, Florida*; **NOW, THEREFORE**,

Be it enacted by the City Commission of the City of Lake Wales, Florida:

Article III, Section 3.02 of the *Charter of the City of Lake Wales, Polk County, Florida*, shall be amended to read as follows:

Section 1.

§ 3.02. Qualifications of members.

Members of the city commission shall have been residents of the City of Lake Wales for not less than three years preceding their date of qualification for election. The office of any commission member who shall move from the City of Lake Wales during the term for which the member was elected shall automatically become vacant from the date of such removal.

Ballot Title:

Increase of the residency requirement for elective office of mayor or commissioner in the City of Lake Wales from one year to three years.

Ballot Summary:

Proposing that the residency requirement for elective office in the City of Lake Wales be increased from one year to three years prior to qualification so that the candidate will have a better understanding of the community prior to seeking to govern.

Ballot Question:

Shall the above described Amendment be adopted?

FOR _____

AGAINST _____

Section 2. After final passage of this Ordinance, the proposed amendment shall be placed on the ballot for a vote of the electors at the 2021 municipal election held within the City Lake Wales, Florida, or at a special election called for the purpose of voting on charter amendments, whichever election occurs first. In accordance with §166.031, Florida Statutes, Section 1 of this Ordinance shall take effect only upon adoption of the amendment by a majority of the electors voting in a regular municipal election or in a duly called special election to consider the proposed amendment.

INTRODUCED on First Reading this _____ day of _____, 2020.

PASSED AND ENACTED on Second Reading, with a quorum present and voting, by the City Commission of the City of Lake Wales, Florida, this _____ day of _____, 2020.

CITY OF LAKE WALES, FLORIDA

Eugene Fultz, Mayor

Attest:

Ordinance 2020-19

Jennifer Nanek, CMC, City Clerk

Prepared by:

Albert C. Galloway, Jr., City Attorney