

## ORDINANCE 2020-20

**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 REQUIRE AN ELECTED COMMISSIONER TO REMAIN A RESIDENT OF THE DISTRICT IN WHICH THE MEMBER QUALIFIED FOR ELECTION THROUGHOUT THE TERM FOR WHICH THE MEMBER WAS ELECTED ; 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 that a commission member must continue to reside in the district in which the member qualified for election throughout the term to which the member was elected; 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 one year preceding their date of 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. The office of any commission member who shall move from the District in which the member qualified during the term for which the member was elected shall automatically become vacant from the date of such removal.

**Ballot Title:**

Requiring an elected city commission member to be a resident of the District in which the commission member qualified throughout the member's term in office.

**Ballot Summary:**

Proposing that an elected city commission member remain a resident of the District in which the commission member qualified as a candidate throughout the term to which the commission member was elected.

**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:

\_\_\_\_\_  
Jennifer Nanek, CMC, City Clerk

Prepared by:

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Albert C. Galloway, Jr., City Attorney