

ORDINANCE NO. 09-015

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 8.03 OF THE CITY CHARTER, CALLING FOR A REFERENDUM TO AMEND CITY CHARTER SECTION 3.01 TO EXTEND THE TERM OF MAYOR FROM TWO TO FOUR YEARS COMMENCING WITH THE 2011 ELECTION; AUTHORIZING THE CITY CLERK TO TAKE ALL NECESSARY ACTION TO PLACE THIS MEASURE ON THE BALLOT FOR OCTOBER 6, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Charter Section 3.01 currently provides "The mayor shall be elected by the people at large for a term of two (2) years. Commissioners from districts numbered I, II, III, IV, V and VI shall be elected for a term of four (4) years"; and

WHEREAS, Charter section 8.01 provides for the manner in which the City Commission may propose an amendment to the Charter; and

WHEREAS, Florida Statutes Section 101.161 provides procedures for a referendum and Florida Statutes Section 100.342 provides for notice for a referendum election; and

WHEREAS, the City desires, to amend City Charter section 3.01 to extend the term of mayor from two years to four years; and

WHEREAS, should the voters elect to extend the term of the Mayor from two to four years, the effective date of such extension would commence with the 2011 general election.

WHEREAS, the City Commission desires that the proposed

question on the ballot of October 6, 2009, including the providing of notice of the election in accordance with law.

Section 5: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable as necessary to achieve the lawful purposes of this Ordinance.

Section 6: All Ordinances or parts of Ordinances of the City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 7: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 07th day of July, 2009.

Read and passed on final reading at a regular meeting held this 21st day of July, 2009.

Authenticated by the presiding officer and Clerk of the Commission on this 22nd day of July, 2009.

Filed with the Clerk July 22, 2009.

ATTEST:

Cheryl Smith
CHERYL SMITH, CITY CLERK

Morgan McPherson
MORGAN MCPHERSON, MAYOR