

Not Adopted

CITY OF ST. PETE BEACH, FLORIDA
ORDINANCE NO. 2010-43

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROPOSING PURSUANT TO SECTION 8.01 OF THE CITY CHARTER AN AMENDMENT TO CITY CHARTER SECTION 7.02 WHICH PROVIDES THAT THE QUALIFIED VOTERS OF THE CITY SHALL HAVE POWER TO PROPOSE ORDINANCES TO THE COMMISSION AND, IF THE COMMISSION FAILS TO ADOPT AN ORDINANCE SO PROPOSED, WITHOUT ANY CHANGE IN SUBSTANCE TO ADOPT IT OR REJECT IT AT A CITY ELECTION; PROVIDING FOR AMENDMENT OF SAID SECTION 7.02 OF THE CITY CHARTER TO EXCLUDE FROM THIS CHARTER SECTION CERTAIN TYPES OF ORDINANCES; PROVIDING FOR A BALLOT QUESTION TO BE SUBMITTED TO THE ELECTORS OF THE CITY AT A REFERENDUM ELECTION TO BE HELD ON MARCH 8, 2011; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, notice of this ordinance has been provided in accordance with applicable law; and

WHEREAS, the current city initiative and referendum provisions have contributed to the chaotic situation in the city and should be revised to limit their scope; and

WHEREAS, Section 8.01 of the City Charter provides that the City Commission may by ordinance propose an amendment to the City Charter and upon passage of the initiating ordinance shall place the proposed amendment to a vote of the electors at the next general election held within the city or at a special election called for such purpose.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

SECTION 1: The City Commission hereby proposes an amendment to City Charter Section 7.02 set forth in Section 2 hereof.

SECTION 2: Section 7.02 of the City Charter is amended to read as follows:

Section 7.02. Initiative.

The qualified voters of the city shall have power to propose ordinances to the commission and, if the commission fails to adopt an ordinance so proposed without any change in substance, to adopt it or reject it at a city election. This power shall not apply to ordinances relating to the budget, capital program, appropriation, taxation, employee salaries, comprehensive plans, land development regulations, personnel, or community redevelopment plans

SECTION 3: A special city referendum election is called for March 8, 2011. The following measure shall be placed on the ballot for the March, 8 2011, general election ballot to be voted upon by the qualified electors of the City of St. Pete Beach, Florida:

NO. ____
REFERENDUM QUESTION

BALLOT SUBTITLE:

Amendment of Initiative Section of City Charter

BALLOT SUMMARY:

Charter Section 7.02 gives the voters power to propose ordinances to the commission and, if the commission fails to adopt an ordinance so proposed, to adopt it or reject it at a city election. . Should the Charter be amended to exclude from this section ordinances relating to the

budget, capital program, appropriation, taxation, employee salaries, comprehensive plans, land development regulations, personnel, or community redevelopment plans?

_____ Yes

_____ No

SECTION 4. If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

SECTION 6. Section 2 of this Ordinance shall become effective immediately upon adoption as required by law and approval by a majority of the electors of the City voting in an election.

SECTION 7. The remaining provisions of this Ordinance shall become effective immediately upon adoption as provided for herein.

Michael Finnerty, MAYOR

FIRST READING : _____
PUBLISHED : _____
SECOND READING : _____
PUBLIC HEARING : _____

I, Pamala Prell, Acting City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this ____ day of _____, 2011.

Pamala Prell, Acting City Clerk