

ORDINANCE NO. 2015-028

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE 11, "CITY COMMISSION," BY ENACTING A NEW SECTION 2-24 "CITY COMMISSION CANDIDATE QUALIFICATIONS" IN ORDER TO PROVIDE FOR A TWELVE (12) MONTH DISTRICT-SPECIFIC RESIDENCY REQUIREMENT BEFORE QUALIFYING TO RUN FOR OFFICE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN AUTOMATIC REPEALER CLAUSE.

WHEREAS, the City Commission desires to amend its Code of Ordinances to provide for a district-specific minimum residency requirement for Commission candidates in order to ensure that candidates are familiar with the needs of their district before running for office; and

WHEREAS, pursuant to Section 166.021, Florida Statutes, the City has home rule powers and can enact regulations that protect the health, safety and welfare of the residents of the City of Coconut Creek; and

WHEREAS, the district-specific residency requirement will protect the welfare of the residents of each district within the City; and

WHEREAS, the 2015 Charter Review Board proposed adding language regarding a district-specific residency requirement of twelve (12) months to the City Charter, with an immediate effective date if passed by the voters at the November 8, 2015 general election; and

WHEREAS, the City Commission expressed possible concerns regarding notice to the public as the general election of 2016, in which the Charter changes will come before the public

for a vote, is only two (2) months in advance of the qualifying date for the municipal election of 2017; and

WHEREAS, the City Commission is desirous of providing as much notice as possible regarding the proposed residency requirement; and

WHEREAS, the City Commission, in an abundance of caution, is proposing this Ordinance in order to alleviate any notice concerns by making the public explicitly aware of the twelve (12) month district-specific residency requirement more than twelve (12) months in advance of the March 2017 municipal elections.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA AS FOLLOWS:

Section 1. That the City’s Code of Ordinances shall be amended by amending Chapter 2, “Administration,” Article II, “City Commission,” by enacting a new section 2-24, “City Commission Candidate Qualifications,” to read as follows:

Sec. 2-24. – City Commission Candidate Qualifications.

(a) Each candidate shall be a resident of and be primarily domiciled in his/her district in which he/she has filed his/her candidacy for at least twelve (12) months prior to filing as a candidate for office but for a change in district of said candidate due to redistricting by the City that has occurred within the preceding twelve (12) month period in which case the combined residency of the candidate’s prior and current districts shall be considered for qualification.

(b) This Section 2-24, “City Commission Candidate Qualifications,” shall automatically be repealed on November 9, 2016 at 12:01am unless otherwise ratified and re-adopted by the City Commission.

Section 2. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 4. Codification. That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 5. Effective Date. That this Ordinance shall become effective immediately upon its passage on second and final reading.

Section 6. Repealer Clause. That this Ordinance shall automatically be repealed on November 9, 2016 at 12:01am unless otherwise ratified and re-adopted by the City Commission.

PASSED FIRST READING THIS 9th DAY OF July, 2015.

PASSED SECOND READING THIS 23rd DAY OF July, 2015.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>

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Words in underscoring type are additions to existing text.
A line of *** indicates existing text not shown.