

Section 305. - Vacancies; Forfeiture of Office; Filling of Vacancies.

- a. *Vacancies.* The office of Commissioner shall become vacant upon his/her death, resignation, removal from office in any manner authorized by law or forfeiture of his/her office.
- b. *Forfeiture of Office.* A Commissioner shall forfeit his/her office if he/she (1) lacks at any time during his/her term of office any qualification of the office prescribed by this Charter or by law, (2) violates any express prohibition of this Charter, (3) is convicted of a felony, (4) fails to attend three (3) consecutive regular meetings of the Commission without being excused by the Commission at a meeting, or (5) fails to remain a resident of the district from which elected for the entire term of office.
- c. *Filling of Vacancies.* A vacancy on the Commission shall be filled in one of the following ways:
 1. If a vacancy occurs three hundred and sixty-five (365) or fewer calendar days before the expiration of the term of the former Commissioner, the Commission, by majority vote of the remaining members, shall appoint a qualified person to fill the vacancy within thirty (30) days of its occurrence, unless there is an election scheduled within one hundred eighty (180) days in which case the Commission may provide for the vacancy to be filled in the next election. Said appointee shall serve until the next regular City election and be a resident qualified voter of the same district in which the vacancy has occurred. Said appointee shall fulfill the requirements of Section 301b.
 2. If a vacancy occurs more than three hundred sixty-five (365) calendar days before the expiration of the term of the former Commissioner, an election to fill said vacancy shall be held no sooner than sixty (60) days and no later than one hundred eighty (180) days of said vacancy. The Commissioner elected to fill the vacancy shall serve for the unexpired term of office and shall be a resident qualified voter of the same district in which the vacancy has occurred.
 3. If the vacated Commission seat is that of the Mayor or Vice Mayor, upon appointment or election of the new Commissioner, the Commission shall elect one of its members to hold the position(s) so vacated. In the instance that the Mayor's seat is vacated and the Vice Mayor assumes the role as Acting Mayor during the interim in accordance with Section 302 b.1. the Commission shall elect by a majority vote an Acting Vice Mayor who shall serve until appointment or election of the new Commissioner.

(Ref. of 11-6-90; Ref. 3-9-93; Ref. of 3-12-96; Ref. of 3-14-06; Ref. of 11-06-16; Ord. No. 2020-015, 5-28-20; ratified by Ref. of 11-3-20; effective 11-4-20)

Section 301. - Composition; Eligibility; Election and Terms of Office.

- a. *Composition.* There shall be a City Commission of five (5) members, one member elected from each of the five (5) districts within the City. Each candidate for Commissioner shall be elected at large and shall be a resident of and be primarily domiciled at the time of filing in the district in which he/she has filed his/her candidacy. Each candidate shall execute and deliver to the City Clerk an affidavit of primary domicile at the time of filing his/her candidacy. Each candidate shall also provide two (2) proofs of identification showing the candidate's address of domicile, one being a Florida Driver's License or Florida State Identification Card, plus an electric bill or water bill, or other evidence of address. Each Commissioner shall at all times remain primarily domiciled in the district in which he/she is elected. The candidate in each district receiving the greatest number of votes, among all candidates from that district, shall be elected. Voters shall vote for only one candidate in each district.
- b. *Eligibility.* Only qualified voters, who have been residents of the City or residents of any land annexed into the City for a minimum of twelve (12) months prior to filing as a candidate for office, shall be eligible to hold the office of Commissioner.
- c. *Election and Terms.* The regular election of Commissioners shall be held in accordance with State of Florida Law on the second Tuesday in March in years when the Commissioners' terms have expired.
 1. Commencing with the elections in March, 2023, two (2) Commissioners shall be elected, one each from districts A and D for four-year terms expiring upon the certification of election results and the swearing in of their successor. Commencing with the elections in March, 2021, three (3) Commissioners shall be elected, one each from districts B, C, and E for four-year terms expiring upon the swearing in of their successor after certification of election results.
 2. Commissioners newly elected and/or re-elected in a duly certified election shall be sworn into office and seated at the second regularly scheduled Commission meeting in March of election years, however if the certified election results have not been received prior to the meeting or the meeting is not held for any reason, the swearing in shall be held at the next regularly scheduled Commission Meeting or may be held at a special meeting noticed pursuant to state law after certification of the election results.
 3. Term Limits. No person may appear on a ballot for election after serving three (3) consecutive elected terms, whether the three (3) elected terms were for full or partial terms. Fulfillment of a term by appointment by the City Commission shall not count as an election subject to the previous limitation. Elections prior to November 2020 shall not count towards term limits. An individual who cannot be elected to office pursuant to this section may subsequently appear on a ballot for reelection only after being out of office for at least one (1) full term.
- d. *Minimum Length of Residence.* 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.

(Ref. of 11-6-90; Ref. of 3-12-91; Ref. 3-9-93; Ref. of 3-12-96; Ref. of 3-13-01; Ref. of 3-14-06; Ref. of 11-2-10; Ref. of 11-06-16; Ord. No. 2020-015, 5-28-20; ratified by Ref. of 11-3-20; effective 11-4-20)