

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE VILLAGE OF SEA RANCH LAKES AT ARTICLE I, SECTION 11, ENTITLED "GOVERNMENT AUTHORITY OF VILLAGE", ARTICLE II, SECTION 1, ENTITLED "ENUMERATION", ARTICLE III, SECTION 12 ENTITLED "ANNUAL BUDGET", ARTICLE IV SECTION 1, ENTITLED "NUMBER", AND ARTICLE IV SECTION 2 ENTITLED "JUDGE OF MEMBERS; EXPLUSION" TO REDUCE THE NUMBER OF COUNCIL MEMBERS TO FIVE (5) MEMBERS WHICH INCLUDES THE MAYOR AS A VOTING MEMBER OF THE COUNCIL, AND REDUCING THE NUMBERS OF MEMBERS REQUIRED TO PERFORM CERTAIN FUNCTIONS OF GOVERNMENT; PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE VILLAGE OF SEA RANCH LAKES, ON THE MARCH 2024 MUNICIPAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article XIII, Section 1 of the Village of Sea Ranch Lakes, Florida Charter (the "Charter") provides that the Charter may be amended from time to time in accordance with the General Law of the State of Florida; and

WHEREAS, Chapter 166, Florida Statutes, as amended, further provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the Village of Sea Ranch Lakes, Florida (the "Village"); and

WHEREAS, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the Village Council of the Village of Sea Ranch Lakes, Florida, in an ordinance format.

WHEREAS, the Village Council has considered various forms of government and finds it to be in the best interest of the citizens and residents of the Village to submit the following referendum to the electors of the Village; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Article I, Section 11 entitled "Government Authority of Village" shall be revised as follows:

The government of the village of Sea Ranch Lakes shall be vested in a ~~mayor, who shall be~~

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~~elected or appointed to serve a separate office from the office of a member of the Village Council and whose compensation shall be fixed by the village council, to hold office for a term of two (2) years, and the village council of Sea Ranch Lakes, consisting of seven five (57) members, to hold office for a term of two (2) years.~~

SECTION 3. Article II, Section 1 entitled “Enumeration” shall be revised as follows:

The government of the Village shall be carried on by the following officers, to wit:

~~A Mayor who is not a member of the Village Council;~~

A Village Council, consisting of five ~~seven~~ (57) members, as herein provided.

and such other officers as may be created by Ordinance of the Village of Sea Ranch Lakes not inconsistent herewith, and they shall perform such duties and receive such compensation as may be prescribed by the Resolutions of this Village, and the provisions of this Act; provided that the members of the Village Council and the Mayor shall be elected by the duly qualified voters of the Village at an election called and held pursuant to law.

SECTION 4. Article III, Section 12(B) entitled “Annual Budget” shall be revised as follows:

B. No expenditures may be made by the Council in excess of the aggregate of all expenditures provided in the budget as approved, except that by vote of a majority five (5) of its members, upon a finding that delay in providing for the proposed additional or different expenditures in [is] inimical to the best interest of the Village, the Council may, without posting same, posting notice of same, or holding any special meeting, adopt a supplemental budget.

SECTION 5. Article IV, Section 1 entitled “Enumeration” shall be revised as follows:

There shall be five ~~seven~~ (57) members of the Village Council, and all qualified voters of the Village shall be allowed to vote for the election of members to be elected to said Council at any annual election

SECTION 6. Article IV, Section 2 entitled “Judge of Members; Expulsion” shall be deleted as follows:

~~The Village Council shall be the judge of the qualifications, election and returns of its own member; it may enact rules of procedure including disciplinary rules, in its operation.~~

~~A majority Five-sevenths (5/7) of its members concurring, the Village Council may expel a member for cause and declare such member's office vacant.~~

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SECTION 7. The Charter of the Village Council of the Village of Sea Ranch Lakes shall be amended to provide for consistency with the Village Council members throughout.

SECTION 8. The Ballot Title shall be as follows:

MEMBERS OF THE VILLAGE COUNCIL

SECTION 9. At the General Municipal Election in March of 2024, the following question shall be placed on the ballot for consideration by the qualified electors of the Village of Sea Ranch Lakes, Florida, and shall read as follows:

The Village of Sea Ranch Lakes, Florida currently provides for a Village Council consisting of seven (7) elected members, as provided herein. Shall the Charter be amended to provide for a Village Council with five (5) elected members which would include the Mayor as a voting member of the Village Council?

YES NO

SECTION 10. Advertisement. The Village Council of the Village of Sea Ranch Lakes, Florida is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the State of Florida Election Code and to coordinate with the Broward County Supervisor of Elections office the submittal of this Ordinance to referendum to be voted on at the March 2024 municipal election.

SECTION 11. Codification. It is the intention of the Village Council of the Village of Sea Ranch Lakes, Florida that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Village of Sea Ranch Lakes, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

SECTION 12. Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Ordinance.

SECTION 13. Conflicts. All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 14. Effective Date. This Ordinance shall take effect upon its adoption by the Village Council and shall be submitted to referendum as set forth herein.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, ON FIRST READING, THIS ____ DAY OF NOVEMBER, 2023.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, ON SECOND AND FINAL READING, THIS ____ DAY OF DECEMBER, 2023.

VILLAGE OF SEA RANCH LAKES, FLORIDA

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BY: _____
MAYOR JEFFREY NELSON

MIRON _____
BRUENER _____
VOLKERT _____
FULMER _____
TOMLINSON _____

ATTEST:

STARR PATON, VILLAGE CLERK

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