

ORDINANCE NO. 828

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 287 RELATING TO THE GOVERNMENT OF THE CITY OF BROOKSVILLE; PROMULGATING, ESTABLISHING AND PROVIDING FOR A REVISED CHARTER OF THE CITY OF BROOKSVILLE; PROVIDING FOR A REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, there is hereby promulgated, established, and provided for amendments to the existing Charter of the City of Brooksville, and said amendments hereto are as set forth herein.

SECTION 1. The following charter sections 2.02 and 2.04 are hereby amended to read as follows:

Sec. 2.02. Qualification of city council members; term of office.

- (a) Any elector who has continuously resided in the City of Brooksville for at least one (1) year, immediately prior to qualifying, shall be eligible to hold the office of city council member.
- (b) Members shall be elected for a four-year term. Consecutive terms shall be limited to three (3), full, four (4) year terms with a minimum of a one-year period of time out of office before being allowed to run for council subsequently.

Sec. 2.04. Disqualification and forfeiture of office.

The council shall be the judge of the disqualification of its members and of the grounds for forfeiture of their office. Forfeiture of office by a council member shall be limited to the following:

- (1) Permanent inability to perform official duties.
- (2) Conviction of a felony.
- (3) Neglect of duty for failure to attend a majority of council meetings within the immediate prior six (6) months' term of office without just cause.
- (4) Council member no longer meets residency requirements of having primary residence within the city limits.

SECTION 2. This ordinance shall be posted and published as provided by law and each of the new or amended charter provisions set out in SECTION 1 hereof shall become effective and operative when and only if it is approved by a majority vote of the electors of the City of Brooksville voting on the question of the approval or disapproval of the same in and at the General Election to be held in the City of Brooksville on the 6th day of November, 2012.

SECTION 3. The form of the ballot questions in the referendum shall be as follows:

NO. 1
CHARTER AMENDMENT
SECTION 2.02

Increases consecutive term limits for Council Members to three (3) full four (4)-year terms of office.

Shall the amendment to the Charter as set out and proposed by City of Brooksville Ordinance No. 828, enacted by the City Council on the 2nd day of July, 2012, be ratified and approved?

YES - FOR THE AMENDMENT
NO - AGAINST THE AMENDMENT

NO. 2
CHARTER AMENDMENT
SECTION 2.04

Allows for forfeiture of office should the Council member no longer meet residency requirements of having primary residence within the city limits.

Shall the amendment to the Charter as set out and proposed by City of Brooksville Ordinance No. 828, enacted by the City Council on the 2nd day of July, 2012, be ratified and approved?

YES - FOR THE AMENDMENT
NO - AGAINST THE AMENDMENT

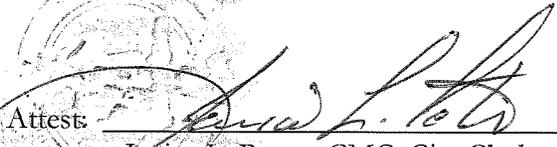
SECTION 4. If a majority of the electors of the City of Brooksville actually voting on such questions in such referendum shall vote for the approval of any of such amendments to the Charter, the Charter amendments so approved shall become operative and effective at 0001 a.m. of the 1st day of January, 2013; if a majority vote against the approval of any of such amendments to the Charter, then this ordinance, as to such amendments, shall not become effective and shall be no further force and effect.

SECTION 5. A certified copy of this Ordinance shall be submitted to the Hernando County Supervisor of Elections, and the Supervisor of Elections is requested to take such steps necessary to place the foregoing questions on the ballot for the General Election on the 6th day of November, 2012.

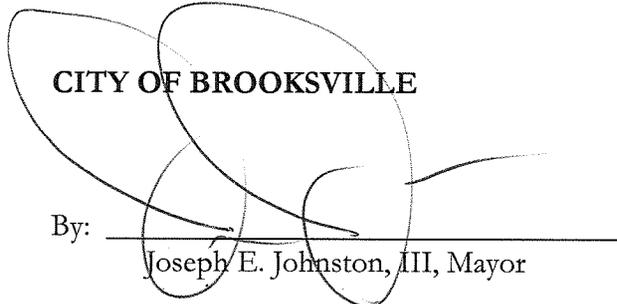
SECTION 6. This ordinance shall take effect immediately upon being passed and adopted by the City Council of the City of Brooksville, Hernando County, Florida.

CITY OF BROOKSVILLE

Attest:


Janice L. Peters, CMC, City Clerk

By:


Joseph E. Johnston, III, Mayor

PASSED on First Reading May 21, 2012

NOTICE Published on May 25, 2012

PASSED on Second & Final Reading June 4, 2012

APPROVED AS TO FORM FOR THE RELIANCE
OF THE CITY OF BROOKSVILLE ONLY:

VOTE OF COUNCIL:

Bernardini AYE

Bradburn AYE

Burnett AYE

Hohn NAY

Johnston AYE


Thomas S. Hogan, The Hogan Law Firm, LLC
City Attorney