



## **CITY CHARTER**

### **PREAMBLE**

We, the citizens of Navarre, in order to build a municipality to preserve our culture and way of life, to secure the benefits of Home Rule and local self-government granted to us by the Constitution of the United States and the State of Florida, and to protect our God-given rights of life, liberty, and the pursuit of happiness, do hereby adopt this as our Charter for the City of Navarre Beach, in the County of Santa Rosa, State of Florida.

### **ARTICLE I: GENERAL ESTABLISHMENT, LIMITATIONS, AND POWERS**

#### **Section 1.01 General Establishment.**

The City of Navarre Beach, to be referred hereinafter to as “the City,” located within the State of Florida and the United States of America, is established upon the date this Charter takes effect. It may exercise all governmental, corporate, and proprietary powers under the Constitution of the United States, general and special acts of the State of Florida as fully and completely as if specifically enumerated in this Charter to enable it to conduct municipal government, perform municipal functions, and render municipal services.

#### **Section 1.02 Construction.**

The powers of the City, under this Charter, shall be constructed toward the City, limited by the Constitution of the United States, general and special acts and laws of the State of Florida and specific limitations contained herein. The specific mention of a power or responsibility of the City within this Charter shall not be interpreted as limiting in any way the ability and general powers of the City to protect and further the interests, safety, and welfare of its residents.

#### **Section 1.03 Corporate Seal.**

The City shall have a common seal and the City Council of Navarre Beach may change the same at its discretion. The keeper of the seal shall be the City Clerk of Navarre Beach.

**Section 1.04 Contract Powers and Intergovernmental Relations.**

The City may participate, by contract or other likewise agreement, with any other entity in the performance of activities that those entities have the ability to undertake, to include municipal sharing of personnel and services such as fire and police protection and mutual aid with Santa Rosa County and other municipalities.

**Section 1.05 Non-Discrimination.**

No individual or group shall ever be discriminated against by the City or any official or employee thereof on account of race, color, culture, national origin, creed, religion, gender, sexual orientation, political affiliation, age, disability, marital status, pregnancy, family or parental status, income derived from a public assistance program, or military status.

**ARTICLE II: BOUNDARIES**

**Section 2.01 Municipal Boundaries.**

The corporate boundaries of the City shall encompass the entire Census Designated Places of Navarre and Navarre Beach as defined by the 2020 United States Census, completed by the United States Census Bureau, an agency of the United States Department of Commerce. Additionally, the following areas shall be included within the corporate boundaries of the City:

2.011 In Township 2 South, Range 26 West, all land south of the East Bay River, not to include East Bay, not already included within the definition of the Navarre or Navarre Beach Census Designated Places;

2.012 In Township 2 South, Range 27 West, within section 21, parcel 0000-00102-0000;

2.013 All lands and waters within 2,000 feet of the Navarre Beach Causeway not already included within the definition of the corporate boundaries as described in this Section.

Changes in boundaries shall be accomplished as prescribed by law.

**Section 2.02 Annexation and Purchasing beyond Boundaries.**

This article shall in no way be interpreted as disallowing the City from annexing land, territory, or property, as allowed by applicable laws, nor shall it be interpreted as

disallowing the purchasing of property by the City beyond the City's corporate and municipal borders.

### **ARTICLE III: LEGISLATIVE AUTHORITY**

#### **Section 3.01 Form of Government.**

The form of government provided by this charter shall be that of a council-manager government. Pursuant to its provisions and subject to the limitations imposed by the Constitution of the United States, general and special acts and laws of the State of Florida and by this Charter, all legislative powers of the City shall be vested in the City Council of Navarre Beach, to be referred hereinafter as "the Council" or "the City Council." It shall be allowed to enact any resolution not contrary to state, federal, or international law, as subject to the restrictions of this Charter, and as subject to veto by the Mayor, or other likewise oversight by entities detailed within this Charter. Members of the Council shall be referred to as "City Councilors" or alternatively as "Council Members."

#### **Section 3.02 City Council Composition.**

3.021 The City Council shall be elected respectively by six distinct wards, with members being a resident of the district in which they represent.

3.022 These wards shall be defined as follows: the first ward (1st Ward), defined as voting precinct thirty-four (34) and any land included within the corporate and municipal boundaries of the City not otherwise included, which shall have two (2) City Councilors; the second ward (2nd Ward), defined as voting precincts forty (40) and twenty-nine (29) shall have one (1) City Councilor; the third ward (3rd Ward), defined as voting precincts twenty-six (26) and thirty-eight (38) shall have two (2) City Councilors; and the fourth ward (4th Ward), defined as voting precinct thirty-five (35) shall have one (1) City Councilor. The City Council shall be chaired by the Mayor, who shall be elected at large among all wards of the City and shall act as the ceremonial head of the City, as described in Article IV. Under this initial definition, the City Council shall have six (6) ward representative City Councilors and one (1) Mayor elected at-large.

3.023 The wards shall be redrawn and reapportioned every ten (10) years, by two-thirds majority of the City Council, in order to ensure roughly equal representation between electors of the City, as required by the United States Constitution.

3.024 The wards shall remain consistent with voting precincts, as defined by the Santa Rosa County Supervisor of Elections, as required by general law.

#### **Section 3.03 Election and Terms.**

The nonpartisan primary and general election of City Councilors shall be held in a manner consistent with Article IX of this Charter. City Councilors shall hold terms of four (4) years in length, and shall not hold their positions for any longer than three (3) terms, consecutive or otherwise.

**Section 3.04 Vacancy of Office.**

If a vacancy occurs on the Council caused by death, resignation, refusal of a member to serve, removal, the moving of a City Councilor's primary address from the ward from which the City Councilor is elected, or for any other reason, the vacancy shall be filled for the unexpired term by an appointment to the vacated seat by a simple majority vote of the remaining City Councilors. Nominees for appointed City Councilor must meet all requirements for candidacy laid out within Article IX of this Charter. Such vacancies shall be filled within thirty (30) days after the vacancy occurs. The appointed City Councilor shall hold his or her seat for the remainder of the previous City Councilor's term, not to exceed twenty-four (24) months). At the end of this term, a general election shall be held, in accordance with Article IX of this Charter. The appointed City Councilor shall be allowed to act as a candidate in this election and shall be allowed to hold a maximum of three (3) consecutive terms in addition to their term as an appointed City Councilor.

**Section 3.05 Compensation.**

City Councilors, not to include the Mayor, shall be compensated, at maximum, at the rate of six-thousand dollars (\$6,000) per year, adjusting up to the rate of inflation after each election.

The City Council may, by ordinance or resolution, reduce or eliminate this rate of compensation by a simple majority vote.

**Section 3.06 Powers and Duties of the City Council.**

The City Council shall hold and exercise the following powers and duties:

- 3.061 To legislate for the City by adopting ordinances and resolutions in the best interest of the City and its citizens;
- 3.062 To adopt the annual budget and all other appropriations necessary for the government of the City, after submission by the Mayor;
- 3.063 To inquire into the conduct of any municipal office, department, entity, or officer, and to investigate municipal affairs, and for that purpose, may subpoena witnesses, administer oaths, and compel the production of books, papers, or other evidence;
- 3.064 To override the Mayor's veto of an ordinance or resolution by an affirmative two-thirds vote of the Council;

- 3.065 To devote such time as is necessary to the performance of City Council duties, and hold no other elected or appointed public office during the respective tenure of the City Council;
- 3.066 To hold a public forum with the majority of City Councilors present every week, on the same day as City Council meetings, allowing time for remarks at no less than 6 minutes per speaker;
- 3.067 To establish an Office of the City Council, which is hereby authorized to hire staff or request volunteers, per its own appropriations.

**Section 3.07 Power and Duties of the Mayor, as Chair of the City Council.**

The City Council shall be chaired by the Mayor who shall be elected at-large among all wards of the City. The Mayor shall be granted the following powers, responsibilities, and restrictions needed to conduct the functions and business of chair of the City Council:

- 3.071 The responsibility to attend and act as the moderator for at least four (4) out of five (5) regular meetings of the City Council in any given quarter of the year, unless otherwise excused by a two-thirds of the Council for a period not to exceed one (1) month;
- 3.072 The ability to exercise all powers delegated to the chair by Robert's Rules of Order, or any other system or rules of parliamentary procedures that the City Council may adopt by resolution;
- 3.073 The ability to introduce legislation, not unlike any other City Councilor;
- 3.074 The ability to participate in discussion and debate regarding matters in front of the City Council;
- 3.075 The ability to cast a tie-breaking vote in the City Council, but not in any other circumstance;
- 3.076 The ability to call emergency meetings of the City Council, as prescribed in Section 3.08 of this article;
- 3.077 The ability to dismiss individual members of the public from the Chambers of the City Council in cases of dangerous activity and/or violent conduct. This power shall not be used to silence opposition to the Mayor, City Council, or City itself, nor may it be used in violation of Florida Statutes Chapter 286;
- 3.078 The ability to appoint, from among the City Council, a Parliamentarian of the City Council and an Aide to the Civil Sentry, the latter of which shall act as the equivalent to a Sergeant-at-Arms, subsidiary to the Civil Sentry;

- 3.079 The ability to nominate, from among the City Council, who shall be accepted by the approval of a majority of the Council, a Mayor *Pro Tempore*. The Mayor *Pro Tempore* shall act as a vice chair and will exercise the powers of the Mayor, in their position as chair of the City Council, in any situation in which the Mayor may not be present at a meeting of the City Council;
- 3.0710 The ability to appoint, from outside the City Council, an Overseer of the Council, that may have the power to issue public reports regarding any and all breaches of public trust, law, or this Charter, that may have been undertaken by the Council or any individual member. The Overseer of the Council shall, by default, be uncompensated, but may be compensated by ordinance or resolution of the Council.

### **Section 3.08 City Council Meeting Location and Frequency.**

The City Council shall meet regularly, no less than twice per month, at such a place and time that is easily accessible to the general public and that the City Council prescribes. Special or emergency meetings shall be callable by the Mayor or three (3) City Councilors to the City Clerk, and shall, whenever practicable, upon no less than twelve (12) hours' notice to City Councilors and the public, or such shorter time as the Mayor or three (3) City Councilors deems necessary in the case of an emergency.

### **Section 3.09 City Council Meeting General Procedures.**

Until such time as the City Council establishes its own rules of procedure, the City Council shall follow Robert's Rules of Order, notwithstanding any part of this Charter. Thereafter the City Council may determine its own rules of procedure and order of business and shall keep minutes of its proceedings that shall be open for public inspection through several mediums. The Mayor, or a designee thereof, shall also be allowed to make points of order and of information, requests and inquiries, as well as to appeal the decision of the presiding chair, or to make the equivalent motions under any modified City Council rules. Any member of the general public may offer a point of order or equivalent motion. The City Council shall establish procedures for making copies of all resolutions, ordinances, and this Charter available to the public for inspection, in conjunction with the requirements of Florida law including all applicable Florida Sunshine and Public Records Laws.

### **Section 3.10 City Council Voting.**

Voting on ordinances and resolutions shall be by electronic tally devices, by individual voice vote, or by such other means as may be adopted by the City Council, or as already accepted by the default rules of the City Council. The City Clerk shall keep a written report of all actions of the City Council, which shall be permanently recorded and reported to the general public. A majority of the existing membership of the City Council

shall constitute a quorum; but a smaller number may act to adjourn, if necessary, and may compel the attendance of absent members, not excused, and prescribe penalties to those members, per the rules of the City Council. No action of the City Council, except as otherwise provided in this Charter or the general law, shall be valid or binding unless adopted by an affirmative vote of the majority of the existing membership of the Council, except that if a majority or more Councilors are ineligible to vote on a particular item because State law requires the Councilors to abstain from voting, then the remaining Council Members may vote and approve the item by unanimous vote.

The City Council may, by an affirmative vote of a two-thirds (2/3) majority of the Council Members, override the Mayor's veto of an ordinance or resolution at any time prior to midnight (12:00 AM) on the seventh (7<sup>th</sup>) day after the day that veto was exercised by the Mayor, or prior to midnight (12:00 AM) on the day the next meeting of the City Council meeting occurs after the exercise of the Mayor's veto, whichever last occurs. If the City Council overrides a veto, the ordinance or resolution shall be effective immediately or as otherwise provided therein. If the City Council fails to override a veto, the ordinance or resolution shall fail and be of no effect. Ordinances adopted by the City Council shall be effective unless vetoed by the Mayor before midnight seven (7) days after adoption, or shall be effective upon such later date as may be provided therein. The Mayor may notify the City Council through written notice filed with the City Clerk that he or she will not veto the ordinance or resolution, whereupon the ordinance or resolution may become effective prior to the eighth (8) day after adoption of said ordinance or resolution if the ordinance or resolution so provides for such an earlier effective date.

### **Section 3.11 Impeachment.**

Any Councilor, may be impeached for any felony, misdemeanor, or breakage of the spirit of the law, by a Commission of Impeachment, which may be called by the City Council by a simple majority vote. The Commission of Impeachment must be made up of the City Attorney, a representative of the City Council chosen by a simple majority vote of those Council members not subject to investigation, and the Mayor or a designee thereof. This Commission shall be chaired by the Mayor, or a designee thereof. The Commission shall make or designate its own rules of procedure, but shall make a ruling on impeachment within three (3) months after its first meeting. If the Commission, by unanimous vote, rules for impeachment, the Councilor shall then be impeached. The City Council may then decide to remove the Councilor by a simple majority vote of the Council.

### **Section 3.12 Prohibitions.**

Upon and immediately after election, City Councilors shall be subject to the following prohibitions until such time as they resign their office:

- 3.121 No individual Council Member shall, in any manner, dictate the appointment or removal of any official, administrative officer, or employee whom the Mayor or City Manager is empowered to appoint, except as provided elsewhere in this Charter. The City Council may, however, express its views and fully and freely discuss any and all matters with the Mayor and City Manager pertaining to the appointment and removal of City officers and employees;
- 3.122 Except for the purpose of inquiries and investigations made in good faith, the City Council or Council Members shall deal with the City officers and employees, who are subject to the direction and supervision of the Mayor, solely through the Mayor. Neither the City Council nor Council Members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement of municipal governmental operations by individual Council Members be made solely to and through the Mayor;
- 3.123 No elected City official shall hold any appointed or elected City office, City board membership, or City employment except as may be provided by this Charter, State law, Federal law, or International law. No former elected City Councilor shall hold any appointive City office until one year after having last served as an elected official;
- 3.124 Any member, having already been in a non-elected and non-appointive position of City office or employment when elected to the City Council, may not keep his or her position, upon election and while serving on the City Council.

## **ARTICLE IV: EXECUTIVE AUTHORITY**

### **Section 4.01 General Establishment.**

With the exception of any transition period that may occur, executive power shall be vested in a Mayor of the City of Navarre Beach, to be otherwise referred to as “the Mayor,” and delegated further to Appointed Positions as described in Article V. The Mayor shall be recognized as the official head of the City for all ceremonial purposes. The Mayor shall be responsible for ensuring the safety and welfare of the citizens, residents, and those subject to the jurisdiction of the City, and forwarding causes supporting and furthering the City.

### **Section 4.02 Powers and Duties.**

The Mayor, who shall serve in a part-time capacity, shall exemplify good citizenship and exhibit a cooperative spirit, and shall hold and exercise the following powers and duties:



- 4.021 To present recommendations to the City Council on the requirements of its municipal government;
- 4.023 To assist the City Manager with their duties, as directed by the City Manager;
- 4.024 To exercise a veto power over ordinances and resolutions adopted by the City Council within seven (7) days of adoption by the City Council. The Mayor may veto any "line item" in a budget or appropriation ordinance or resolution within seven (7) days of adoption by the City Council. A veto may be overridden only by an affirmative vote of a two-thirds (2/3) of the Council Members. The Mayor may not exercise veto power over:
  - 4.0241 An emergency ordinance as defined in Florida Statutes;
  - 4.0242 Those ordinances adopted as a result of quasi-judicial proceedings when such proceedings are mandated by law;
  - 4.0243 Ordinances proposing Charter amendments, which the Council is required by law or by this Charter to place on the ballot.
- 4.025 To give, once in every calendar year, to the people of the City, through a speech and/or open letter to them, a report on the State of the City;
- 4.026 To perform additional duties as required by ordinance of the City Council;
- 4.027 To exercise all duties, powers, and responsibilities of chair of the City Council, as described in Section 3.07.

#### **Section 4.03 Election and Term.**

The nonpartisan primary and general election of the Mayor shall be held in a manner consistent with Article IX of this Charter. The Mayor shall hold terms of four (4) years in length, and shall not hold their positions for any longer than three (3) terms, consecutive or otherwise. The Mayor shall not hold any appointed or elected City office, City board membership, or City employment except as may be provided by this Charter, State law, or Federal law.

#### **Section 4.04 Vacancies.**

Vacancy caused by death, resignation, refusal of the Mayor to serve, removal, or for any other reason, shall be filled by the Mayor *Pro Tempore* as Mayor. If the Mayor *Pro Tempore* dies, resigns, is removed, refuses to serve, or is otherwise unable to take the position as Acting Mayor, it shall then fall to the City Clerk, then to the City Attorney, and then to the Civil Sentry. No individual acting in any such role, not having been properly appointed and confirmed to the role, may be considered in the line of succession to the Mayor. The acting Mayor shall serve the unexpired term of the previous Mayor unless the unexpired term of the previous Mayor is six (6) months or longer. If the unexpired

term is six (6) months or longer, a person shall be elected at a special election held at the first available opportunity to fill the unexpired portion of such term.

#### **Section 4.05 Impeachment and Removal.**

The Mayor may be impeached for any felony, misdemeanor, or breakage of the spirit of the law, by a Commission of Impeachment, which may be called by the City Council by a simple majority vote. The Commission of Impeachment must be made up of the City Attorney, City Manager, and a representative of the City Council. This Commission shall be chaired by the City Manager, or a designee thereof. The Commission shall make or designate its own rules of procedure, but shall make a ruling on impeachment within three (3) months after its first meeting. If the Commission, by unanimous vote, rules for impeachment, the Mayor shall then be impeached. The City Council may then decide to remove the Mayor by a simple majority vote of the Council.

#### **Section 4.06 Compensation.**

The salary compensation of the Mayor may be set by ordinance, which shall take effect upon the Mayor assuming office following the next Mayoral election. This shall come with the exception of one ordinance, which must be enacted within the first six (6) months of the election of the first Mayor, that may set the initial rate of compensation. This compensation may not exceed the per capita income of the City as defined the United States Census Bureau, an agency of the United States Department of Commerce.

### **ARTICLE V: APPOINTED POSITIONS**

#### **Section 5.01 City Manager.**

There shall be a City Manager, to be referred to within this Charter as “the City Manager,” who shall manage the exercise of executive powers of the City. The Mayor shall appoint the City Manager, with the consent of the City Council by an affirmative vote of a majority of City Council members. The City Manager, who shall serve in a full-time capacity, shall exemplify good citizenship and exhibit a cooperative spirit, and shall hold and exercise the following powers and duties:

- 5.011 To exercise the executive powers of the City and supervise all departments, including, but not limited to, the power to appoint, discipline, and remove all officers and employees, unless otherwise provided in this Charter;
- 5.012 To enforce ordinances and resolutions of the City within the jurisdiction and aegis of the City of Navarre Beach;

- 5.013 To appoint a head of each department, except as otherwise provided within this Charter, with the consent of the City Council by an affirmative vote of a majority of City Council Members;
- 5.014 To submit to the City Council, and make available to the public, a complete report of finances and administrative activities of the City at the end of each fiscal year; and to prepare and submit the annual budget and request all other appropriations necessary for the government of the City and to submit, once every two (2) years, an organization chart of the City Government depicting all entities necessary for the government of the City;
- 5.015 To suspend, discipline, or remove the superior officer of any City department with or without cause, and without the consent of City Council Members, unless otherwise provided for in this Charter.
- 5.016 To be responsible for the signing of all checks, countersigned by the Director of Finance;
- 5.017 To perform additional duties as determined by ordinance of the City Council;
- 5.018 To have the granted ability to have priority in scheduling and agenda priority in terms of presentations, speeches, or announcements given to the City Council.

The City Manager may be removed from office through the concurrence of a two-thirds majority of the City Council.

### **Section 5.02 City Clerk.**

There shall be a City Clerk, to be referred to as “the Clerk,” who shall serve the entire City government. The Clerk shall keep and have the care and custody of the books, records, papers, legal documents and journals of proceedings of the City Council, the Mayor, and all parts of the City government, and shall carry out such additional duties as may be required by the City Council, City Manager, or the Mayor. The City Clerk shall be the official custodian of the City's Seal and affix it to such books, papers, documents and instruments as required. The City Manager shall appoint the Clerk, with the consent of the City Council by an affirmative vote of a majority of City Council members. The City Clerk may be removed from office by the City Manager or through a concurrence of a two-thirds majority of the City Council.

### **Section 5.03 City Attorney.**

The City Attorney shall serve as the chief legal adviser to, and shall represent, elected or appointed officials, boards and commissions, and employees in the course and scope of their official duties or employment, respectively. The City Attorney must be a

credentialed attorney in good standing with the Florida Bar Association. The City Attorney shall represent the City in legal proceedings and shall perform any other duties prescribed by State law, by this Charter, or by ordinance or resolution. The City Manager shall appoint the City Attorney or propose a contract for a qualified executor of such services, with the consent of the City Council by an affirmative vote of a majority of City Council Members. The City Attorney may be removed from office by the City Manager or through a concurrence of a two-thirds majority of the City Council.

#### **Section 5.04 Civil Sentry.**

The Civil Sentry shall be the superior sergeant-at-arms for any and all functions of the City government. The Civil Sentry shall act as an officer of the law, and must be registered and trained as such, as well modern community policing and conflict resolution procedures. The Civil Sentry, when not needed for the purpose of municipal functions, shall act as a patrol officer or, when needed, a traffic, school resource, or executive protection officer. The Civil Sentry shall be enabled to, when necessary, recruit temporary volunteers to act as Aides to the Civil Sentry and to, pursue appropriations, hire trained law enforcement and/or peace officers. The Civil Sentry shall be considered subsidiary to any Chief of Police, Police Commissioner, or equivalent position, as organized and appointed by the City Manager, as allowed within this Charter. If such a position is established and appointed, then the Civil Sentry shall report directly to that position. If no such position is established or appointed, then the Civil Sentry shall be considered to be the most senior ranking law enforcement officer reporting to the City, and shall report directly to the City Manager. The Civil Sentry, having been trained and registered as an officer of the law under the requirements of State law, shall be a position appointed by the City Manager, with the consent of the City Council by an affirmative vote of a majority of City Council Members. The City Manager may place the Civil Sentry on an uncompensated leave-of-duty for a period, not to exceed six (6) months in length, without the consent of the City Council. The Civil Sentry may be removed from office by the City Manager or through a concurrence of a two-thirds majority of the City Council.

#### **Section 5.05 Commissioner of Finance.**

There shall be a Commissioner of Finance and Investment, to be referred to within this Charter as "the Commissioner of Finance," who shall be appointed by the City Manager, with the consent of the majority of the City Council. The Commissioner of Finance shall be responsible for the upkeep and oversight of any and all financial documents, transactions, tax collections, and intergovernmental revenue. He or she shall also be responsible for managing the investment of City funds, as overseen by the City Manager and City Council. Any and all investments must be reported to the City Council and City Manager within forty-eight (48) hours of the transaction completion. Any investment may be overruled, within one-hundred-and-sixty-eight (168) hours of the investment by the City Manager. The Commissioner of Finance shall report to the City

Manager. The Commissioner of Finance may be removed from office by the City Manager or through a concurrence of a two-thirds majority of the City Council.

**Section 5.06 Departments.**

The City Manager shall determine, consistent with this Charter, the organization of the City government and prescribe the duties and responsibilities assigned to the various departments. The City Manager shall, at least once every two years, submit to the Mayor and City Council an organization chart depicting his or her chosen organization of the City government, which may be amended by an ordinance of the City Council.

**Section 5.07 General City Boards, Commissions, and Authorities.**

Unless otherwise provided by law or this Charter, the City Council shall establish or terminate by ordinance, such boards, commissions and authorities as it may deem advisable from time to time. Unless otherwise provided by law or this Charter, the City Council shall determine the procedures, compensation, and powers of City boards, commissions, and authorities, and determine membership to and removal from City boards, commissions and authorities. These councils may only exercise powers that the City Council or City Manager is granted by this Charter, by ordinance or resolution, or by law, at the choice of the City Manager. The City Council may terminate these councils through resolution.

**Section 5.08 City of Navarre Beach Emergency Preparation and Response Board.**

The City of Navarre Beach Emergency Preparation and Response Board, to be referred to within the Charter as the "Emergency Board," shall act to better further cooperation between all emergency services serving within the jurisdiction of the City, and shall advise the Mayor, City Council, and City Manager on policy matters regarding emergency preparation, emergency response, coordination with fire suppression services, and emergency medical transportation. The Emergency Board shall be composed of a representative of each ward of the City, appointed by unanimous decision of the delegation of that ward to the City Council, a representative of the City Council as a whole, and a chair appointed by the City Manager. The Emergency Board shall meet at least eleven (11) times in any given year and shall be uncompensated. Members of the Emergency Board shall have terms of four (4) years, with a term limit of two (2) terms.

**Section 5.09 City of Navarre Beach Military and Veterans Affairs Board.**

The City of Navarre Beach Military and Veteran Affairs Board, to be referred to within the Charter as the "Military and Veterans Board," shall act to better further cooperation between all military and veteran organizations serving within the jurisdiction of the City or in vicinity thereof, and shall advise the Mayor, City Council, and superior officer on policy matters regarding military and veterans affairs. The Military and Veterans Board shall be composed of a representative of each ward of the City, appointed by

unanimous decision of the delegation of that ward to the City Council, a representative of the City Council as a whole, and a chair appointed by the City Manager. The Military and Veterans Board shall meet at least eleven (11) times in any given year and shall be uncompensated. Members of the Military and Veterans Board shall have terms of four (4) years, with a term limit of two (2) terms.

## **ARTICLE VI: CITY OF NAVARRE BEACH TRAFFIC CONGESTION REDUCTION COMMISSION**

### **Section 6.01 General Establishment.**

The City of Navarre Beach Traffic Reduction Commission, to be referred to as the "Traffic Commission," shall be responsible for designing the architectural, landscaping, and zoning requirements for the primary roadways within the jurisdiction of the City in order to ensure to reduce traffic congestion, enhance the beautification of the City, and increase safety along the City's roadways.

### **Section 6.02 Membership.**

The Traffic Commission shall be made up of six (6) Board Commissioners and a chair, with the following composition:

- 6.021 A Chairperson, who shall have all powers afforded to a chair, per the parliamentary rules of procedure, the ability to vote on all matters, and shall be appointed by the City Manager;
- 6.022 A Chairperson *pro tempore*, who shall ordinarily act as an ordinary Board Commissioner, but who shall act as a vice chair and assume the powers and responsibilities of the chair when necessary, and shall be appointed by a simple majority vote of the City Council;
- 6.023 The most senior ranking official, within the City government, whose sole job is to provide for the planning and zoning of the City as a whole. If ever there is no such City position, then the City Manager shall nominate an acting Board Commissioner, who must be approved by a simple majority vote of the City Council in order to hold the position on the Commission, and shall then serve until either the end of his or her term, or when a City position, so described in this subsection is formed;
- 6.024 Two (2) Board Commissioners appointed by the local chamber(s) of commerce, according to their own rules of procedure;
- 6.025 A Board Commissioner who shall be appointed by the Beachside Commission;

6.026 A Board Commissioner who shall be elected, as subject to Article IX of this Charter, as a direct representative of residents.

Board Commissioners shall hold office for a term of four (4) years, and shall not hold their positions for longer than three (3) consecutive terms. Board Commissioners shall be compensated, at maximum, at the following rates, adjusting up to the rate of inflation after each election and appointment cycle of the Traffic Commission. The City Council may, by ordinance or resolution, reduce or eliminate this rate of compensation by simple majority vote:

6.027 Four thousand dollars (\$4,000) per year, for the Chairperson of the Traffic Commission;

6.028 Three thousand dollars (\$3,000) per year, for all other Board Commissioners.

### **Section 6.03 Powers and Duties.**

The Traffic Commission shall be inferred all powers necessary to conduct its responsibilities, as described in Section 6.1, to include the following:

6.031 To recommend roadway corridors to the City Council, within the jurisdiction of the City, through two-thirds (2/3) vote of the Commission, to be declared as a "Main Street Corridor," those roads then being subject to all rules and regulations enacted by the Traffic Commission;

6.032 To coordinate with city officials and local, state, and federal organizations including the Federal Department of Transportation to make and improve rules, regulations, and resolutions to enhance the safety, beautification, and traffic flow of Main Street Corridors;

6.033 To coordinate with city officials local, state, and federal organizations including the Federal Department of Transportation to secure funding to enhance the safety, beautification, and traffic flow of Main Street Corridors;

6.034 To make recommendations to the City Council regarding rules, regulations, and resolutions mandating safety requirements for public buildings on Main Street Corridors, to take effect for all new public buildings immediately and for all current buildings within the next eight (8) years or less;

6.035 To issue grandfather clauses, which shall mean that the buildings or locations shall not have to adhere to some or all rules and regulations laid out by the Traffic Commission, to buildings deemed by the Historical

Commission to be historical or City landmarks, or considered to be buildings of overwhelming economic importance.

- 6.036 To conduct studies in order to determine the best rules, regulations, and resolutions for the Main Street Corridors;
- 6.037 To write and submit reports to the City Manager and City Council on Main Street Corridor development;
- 6.038 To provide recommendations to the City Manager and City Council suggesting rules, regulations, ordinances, and resolutions to ensure cohesiveness between Main Street Corridors and the remainder of the City;
- 6.039 To allow the City Manager and a representative of the City Council to recommend rules, regulations, and resolutions for the Traffic Commission to impose.

#### **Section 6.04 Enforceability, Zoning, and Overruling.**

All rules, regulations, and resolutions recommended by the Traffic Commission shall be taken under full consideration by the City Council. If passed by the City Council through simple-majority vote (or other method, as required by general law), shall hold the full force of law. These rules, regulations, and resolutions shall be enforced by the applicable entity that enforces the zoning, planning, and coding laws of City jurisdiction. Regulations at odds or otherwise in conflict with zoning or planning ordinances, regulations, rules, covenants, or requirements imposed by the City Council will not take effect until the City Council, by simple majority, grants an exception to such requirements. All powers of the Traffic Commission implied, but not explicitly listed, may be preempted by an ordinance or resolution passed by a simple majority vote of the City Council.

#### **Section 6.05 Meeting Frequency and Location.**

The Traffic Commission shall meet at least twice per month, at such a place and time that is easily accessible to the general public and that the Traffic Commission prescribes. Whenever it may be necessary for two or more members of the Traffic Commission to join together in order to investigate, visit, or otherwise attend a location outside the location ordinarily selected by the Commission, then the location must be made available for the public to attend the location the whole time the Commission is at that location.

#### **Section 6.06 Meeting Procedures.**

The Traffic Commission may determine its own rules of procedure and order of business, and shall keep minutes of its proceedings that shall be open for public inspection through several mediums. Until such time as the Traffic Commission



establishes its own rules of procedure, the Traffic Commission shall follow Robert's Rules of Order, notwithstanding any part of this Charter. The Traffic Commission shall establish procedures for making copies of all recommendations available to the public for inspection, in conjunction with the requirements of Florida law.

## **ARTICLE VII: CITY OF NAVARRE BEACH HISTORICAL COMMISSION**

### **Section 7.01 General Establishment.**

The City of Navarre Beach Historical Commission, to be referred to as the "Historical Commission," shall be established and shall be responsible for the designation of Navarre Beach Historical Landmarks and the naming of geographical landmarks within the City and the outlying areas thereof. The Historical Commission shall come into existence two (2) years after the first election of City officials.

### **Section 7.02 Membership.**

The Historical Commission shall be made up of several Board Commissioners, and a chair, with the following composition:

- 7.021 A Chairperson, who shall have all powers afforded to a chair, per the parliamentary rules of procedure, the ability to vote on all matters, and who shall be appointed by the City Manager;
- 7.022 A Chairperson *pro tempore*, who shall ordinarily act as a regular Board Commissioner, but who shall act as a vice chair and assume the powers and responsibilities of the chair when necessary, and shall be appointed by a simple majority vote of the City Council;
- 7.023 A Board Commissioner appointed by the local chamber(s) of commerce, according to their own rules of procedure;
- 7.024 A Board Commissioner appointed by the Beachside Commission.
- 7.025 One (1) Board Commissioner who shall be elected, as subject to Article IX of this Charter, as a direct representative of residents.

Board Commissioners shall hold office for a term of four (4) years, and shall not hold their positions for longer than three (3) terms, consecutive or otherwise.

### **Section 7.03 Powers and Duties.**

The Historical Commission shall be inferred all powers required to conduct its responsibilities, as described in Section 7.1, to include the following:

- 7.031 To recommend locations with historical significance, within the jurisdiction of the City, to the City Council, as a Navarre Beach Historical Landmark.

The designated landmark shall, if located within the jurisdiction of the City and confirmed as such by a simple-majority of the City Council, then be protected from all efforts of demolition, but not alteration, unless such protection is lifted by a two-thirds (2/3) vote of the City Council. The owner of the designated landmark shall also be forgiven of any taxation from the City in regards to the property designated, unless otherwise determined by ordinance of the City Council. The property shall also be forgiven of any responsibilities or regulations in terms of zoning or planning ordinances, regulations, rules, covenants, or requirements;

- 7.032 The Historical Commission may recommend to the City Council binding resolutions regarding the upkeep of the property, if the owner of the property does not abide by these resolutions, the property may be subject to losing historical status. No part of this subsection shall be interpreted as allowing the property to disregard regulations regarding building and property safety;
- 7.033 To name, or to recognize the currently used name, of bodies of water and landforms of any kind. If there is a name in common usage, as determined by the United States Geological Survey or by individuals living in the area, then the Historical Commission shall be required to use that name;
- 7.034 To publish books or reports regarding the significant geographies and the landmarks of the area;
- 7.035 To submit reports to the City Manager and City Council regarding the importance of significant sites and locales.

All powers of the Historical Commission implied, but not explicitly listed, may be preempted by an ordinance or resolution passed by a simple majority vote of the City Council.

#### **Section 7.04 Meeting Frequency and Location.**

The Historical Commission shall meet at least once per month, at such a place and time that is easily accessible to the general public and that the Historical Commission prescribes. Whenever it may be necessary for two or more members of the Historical Commission to join together in order to investigate, visit, or otherwise attend a location outside the location ordinarily selected by the Commission, then the location must be made available for the public to attend the location the whole time the Commission is at that location.

#### **Section 7.05 Meeting Procedures.**

The Historical Commission may determine its own rules of procedure and order of business, and shall keep minutes of its proceedings that shall be open for public

inspection through several mediums. Until such time as the Historical Commission establishes its own rules of procedure, the Historical shall follow Robert's Rules of Order, notwithstanding any part of this Charter. The Historical Commission shall establish procedures for making copies of all recommendations available to the public for inspection, in conjunction with the requirements of Florida law. The Historical Commission shall publish recommendations made through several mediums.

## **ARTICLE VIII: CITY OF NAVARRE BEACH BEACHSIDE COMMISSION**

### **Section 8.01 General Establishment**

The City of Navarre Beach Beachside Commission, to be referred to within the Charter as the "Beachside Commission," shall be established and act to provide insight, feedback, and recommendations on issues specific to Navarre Beach and to advise the Mayor, City Council, and City Manager on related policy matters.

### **Section 8.02 Special District**

The entirety of Santa Rosa Island within the municipal and corporate limits of the City shall be considered within the "Navarre Beach Special District," referred to as the "Beach District" within this Charter, and shall be considered a dependent special district. The City Council shall be required to pass an ordinance, or ordinances, satisfying any requirements regarding the establishment of dependent special districts in Florida Statute 189.02 not already met by this Charter, within one (1) year of the enactment of this Charter. The Beachside Commission shall be the governing body of the Beach District.

### **Section 8.03 Membership**

The Beachside Commission shall be composed of four (4) board commissioners and a chairperson, made up of the following:

- 8.031 Two (2) board commissioners appointed by the concurrence of all members of the City Council representing any part of Santa Rosa Island, with the advice and consent of the City Manager;
- 8.032 Two (2) board commissioners appointed by the Navarre Beach Leaseholders Association, or any legitimate successor organization as recognized by the governing body of that organization;
- 8.033 One (1) chairperson elected by electors of the Beach District.

Members of the Beachside Commission shall have terms of four (4) years, with a term limit of two (2) terms. Members may not be removed without a unanimous vote of the City Council.

### **Section 8.04 Powers and Duties**

The Beachside Commission shall have the following powers, responsibilities, and duties, in order to facilitate achieving the purposes established in Section 8.1:

8.041 Should Tourism Development Tax raised by the County, or Counties, in which the City is located in, be remitted, distributed, earmarked, or otherwise granted to the City or Beachside Commission through interlocal agreement or other means, the Beachside Commission shall be responsible for the creation of an annual expenditure of such revenues, approvable by a simple majority of the Beachside Commission. The City Council may not amend, alter, or otherwise override the decision of the Beachside Commission in regards to the appropriation of Tourism Development Taxes without a two-thirds vote of the City Council.

8.042 The Beachside Commission shall be responsible for the creation of an annual expenditure for revenues equaling eighty-percent (80%) of *ad valorem* property taxes raised by the City within the Beach District and not automatically deferred to a Community Redevelopment Fund through tax-incremental funding, approvable by a simple majority of the Beachside Commission. The City Council may not amend, alter, or otherwise override the decision of the Beachside Commission in regards to the appropriation of such revenues without a two-thirds vote of the City Council.

8.043 The Beachside Commission will be responsible for coordinating with employees of the City to ensure that such funding, as described in Sections 8.41 and 8.42, are distributed as intended, and that a public report of income and expenditures is released annually, either independently or within the public financial and budget reports of the City.

8.044 The Beachside Commission shall have a veto on development or substantial construction within the Beach District not underdone by the City, County, State, Federal government, or a special district. The Beachside Commission must issue any such veto no later than one (1) month after initial public announcement of the approval of construction and development by planning and development officials of the City or the City Council. The City Council may not amend, alter, or otherwise override any such veto without a two-thirds vote of the City Council, and may only do so within one (1) month after the meeting in which a veto was passed by the Beachside Commission.

8.045 To write reports and issue recommendations to the City Council and City officials regarding opinion and best policy regarding the Beach District.

8.046 For any member of the Beachside Commission, when acting on the behalf of the Beachside Commission, to have the granted ability to have priority in scheduling and agenda priority in terms of presentations, speeches, or announcements given to the City Council, only behind the City Manager.

### **Section 8.05 Compensation**

The City Council shall, by ordinance, establish the rate of compensation for members of the Beachside Commission.

8.051 Compensation for members of the Beachside Commission shall not initially be more than \$20 per working hour, except the chair, who may not be more than \$25 per working hour.

8.052 No change to the rate of compensation for members of the Beachside Commission shall come into effect until the end of the respective term.

8.053 The City shall provide an appropriate venue for the meeting and office operations of the Beachside Commission.

### **Section 8.06 Meeting Frequency and Procedures**

The Beachside Commission shall meet at least twice per month, at such a place and time that is easily accessible to the general public and that the Beachside Commission prescribes.

8.061 The Beachside Commission may determine its own rules of procedure and order of business, and shall keep minutes of its proceedings that shall be open for public inspection through several mediums.

8.062 Until such time as the Beachside Commission establishes its own rules of procedure, the Beachside Commission shall follow Robert's Rules of Order, notwithstanding any part of this Charter.

8.063 The Beachside Commission shall establish procedures for making copies of all rules, regulations, and resolutions available to the public for inspection, in conjunction with the requirements of general law.

## **ARTICLE IX: ELECTIONS**

### **Section 9.01 Nonpartisan Elections.**

Nominations and elections for all elected and appointed offices within the government of the City shall be conducted on a nonpartisan basis.

### **Section 9.02 Electors.**

Any person who is a resident of the City and who is assigned a voter registration number by the applicable County Supervisor of Elections to vote in a City precinct shall be an elector of the City, unless otherwise provided by law or ordinance of the City. Members of the armed or commissioned forces, diplomats, or post-secondary education students who are currently living outside the City, but whose primary residence and voting registration are within the City, shall be considered a resident for the purpose of this Charter.

### **Section 9.03 Qualifications and Eligibility.**

9.31. Any person who is a resident of the City, and not a current or former board member, as of the enactment of this charter, of the founding organization of this City, Preserve Navarre Inc., shall be eligible to run for an elected office of the City.

9.32. Any person declaring to run for City Council, Historical Commission, or Traffic Commission must be a resident of the ward in which the declared seat represents. Any person declaring to run for Chairperson of the Beachside Commission must be a resident of the Beach District.

9.33. Candidates shall pay to the qualifying officer a filing fee in the amount of three percent (3%) of the annual salary of the office the individual is campaigning for, as well as any election assessment that may be required, as provided by Florida law.

9.34. If any elected official ceases to possess any such qualification during his or her term of office, or if he or she violates any express prohibition of this Charter, he or she shall forthwith forfeit the office. If such an individual refuses to resign from the office, a Commission of Impeachment shall be required to be called, after which the City Council must act upon the recommendation of the Commission.

9.35. The City Clerk shall be the judge of qualifications for candidates for any and all elected positions within the City.

### **Section 9.04 Election Procedures.**

9.41. The City Council shall make all necessary arrangements for holding the regular City elections and shall declare the results thereof.

9.42. The primary election for all contests shall be held in conjunction with the Santa Rosa County primary elections of the applicable year. The general election for all contests shall be held in conjunction with the Santa Rosa County general elections of the applicable year.

9.43. For each election with only one (1) position, the top three (3) candidates with the most votes in the primary will proceed to the general election. For each election with two

(2) positions, the top six (6) candidates with the most votes in the primary will proceed to the general election. For elections with two (2) positions, electors will submit two (2) votes in both the primary and general election for that respective position and that position only.

9.44. Except as described in Section 13.2, City Council elections shall be offset such that the 1st Ward and 3rd Ward are elected in conjunction with Santa Rosa County elections every four (4) years, while the 2nd Ward and 4th Ward are elected on a separate four (4) year rotation in conjunction with Santa Rosa County elections that year.

9.45. The City Clerk shall cause a notice of the time and place of holding all City elections to be published in a newspaper published in the City, for at least once a week for two (2) consecutive weeks during the thirty (30) days prior to the beginning of qualifying. Elections shall be conducted and results shall be tabulated, returned and canvassed by County election officials in accordance with general law.

#### **Section 9.05 Voting Reform Committee.**

The Voting Reform Committee may also be called temporarily, for a period not extending beyond one (1) year, by a concurrence of the City Manager and City Council. The Voting Reform Committee shall hold the responsibility of drafting conclusions on which reforms would be of greatest assistance to the voter and to welfare of the City and its people; the best way to implement such reforms; and which elections those reforms should apply to. The Voting Reform Committee shall also be responsible for investigating and reporting to the public, City Manager, and City Council, on the ease and capability of a voter to vote. With exception given if there may be extenuating time constraints, the Voting Reform Committee shall, in addition, be responsible for drafting the appropriate amendments and/or ordinances that may be required to properly implement such reforms. The Voting Reform Committee shall be made up of a chair appointed by the City Manager, a vice chair appointed by the City Council, one member appointed by the City Manager, and two (2) members appointed by or in coordination with the applicable Supervisor of Elections. The members of the Voting Reform Committee may or may not be compensated, as determined by resolution of the City Council and at the rate determined by that resolution.

#### **Section 9.06 Candidate Qualifying Oath.**

Any person who is qualified under this Charter may become a candidate for the elected office in the City by taking and subscribing to an oath or affirmation, and filing the same with the City Clerk during business hours during the period prescribed by general law for qualification of candidates for election to County offices. The form of the oath or affirmation shall be provided by Florida law.

### **Section 9.07 Alternative to Filing Fee.**

Instead of paying the filing fee prescribed by this Charter, a candidate for elected office in the City may have his or her name placed on the ballot for the election by complying with the petition process for qualifying as a candidate for County office as prescribed by general law. No person may qualify for election as a write-in candidate. The qualifying officer shall provide the candidate with the petition format to facilitate the gathering of signatures pursuant to this section. The candidate may begin to seek signatures on a petition supporting his or her candidacy once the requirements of general law are met. Only signatures of City electors shall be counted toward obtaining the minimum number of signatures prescribed in this subsection. Candidates for the offices elected at-large within the City under this petition process shall obtain the signatures of a number of qualified electors equal to at least five percent (5%) of the total number of registered electors in the City, as shown by the compilation by the Supervisor of Elections for the most recent general election of the City Council. A candidate for a ward-elected position shall obtain the signatures of a number of qualified electors residing in the ward for which the candidate seeks election equal to at least five percent (5%) of the total number of registered electors in the ward, as shown by the same compilation.

Each petition shall be submitted to the qualifying officer prior to the deadline established by general law. The Supervisor of Elections shall verify the petitions according to general law. Prior to the first date for qualifying, the Supervisor of Elections shall certify the number of persons shown as registered electors of the City, and of each ward, for the most recent general election of the City, and submit the certification to the City Council. The candidate shall, during the time prescribed for qualifying for office, submit a copy of the certification that the candidate met the qualifying requirements, issued by the qualifying officer, and file his or her qualifying papers. Upon receipt of the notice and qualifying papers, the qualifying officer shall certify the name of the candidate to the City Council as having qualified for the office sought.

### **Section 9.08 Commencement of Office.**

The term of office of any elected official in the City will commence on the fourth (4<sup>th</sup>) Tuesday in November after his or her election at noon (12:00 PM), at which time the newly elected official shall take an oath of office and be installed in office. The commencement date for all offices in the City election shall be the same date whether the candidate is elected during the primary or general election. In the event of a Special Election or other election other than the primary or general election, the term of office of any elected official will commence on the third (3<sup>rd</sup>) day after his or her election has been certified, at noon (12:00 PM), at which time the newly elected official shall be given an oath of office and installed in office, or as provided by State law, unless the commencement date falls on a legal or City holiday in which case the term of office will commence on the next day that is not a legal or City holiday.



## **ARTICLE X: RECALL, INITIATIVE, AND REFERENDUM**

### **Section 10.01 Power of Initiative.**

Residents of the City shall have the power to propose ordinances, resolutions, and advisory decisions to the City Council, Traffic Commission, Historic Commission, and Beachside Commission. If the body fails to adopt the ordinance proposed without any change in substance, the electors have the power to adopt or reject the proposed ordinance at the next City election. The electors are empowered to propose any ordinance or resolution affecting any topic in which the City may be empowered to adopt.

### **Section 10.02 Power of Referendum.**

Within sixty (60) days following the effective date of a measure passed by the City Council, residents of the City shall have the power to require reconsideration by the City Council of any measure passed by the City Council. If the City Council fails to repeal a measure so reconsidered, the electors have the power to approve or reject the reconsidered measure at the next City election.

### **Section 10.03 Power of Recall.**

The qualified electors of the City shall have the power of recall to remove any elected members in the same manner provided by general law as applicable by Florida Statute 100.361 or any related law of the State of Florida, as any such provision may from time to time be amended.

### **Section 10.04 Commencement of Proceedings.**

Any ten (10) electors, or residents certified by the City Clerk as being a resident, may commence initiative or referendum proceedings by filing with the City Clerk an affidavit stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form. The affidavit shall further provide their names and addresses, specify the mailing address for notices to be sent to the committee, and fully set forth the proposed initiative or identify the measure sought to be reconsidered. Promptly after the petitioners' committee's affidavit is filed, the City Clerk, at the committee's request, shall issue the appropriate petition forms to the committee at the City's expense, though the City Council may, by resolution, require for respective periods not to extend beyond one (1) year, that appropriate petition forms must be provided at the committee's expense.

### **Section 10.05 Initiative or Referendum Petitions.**

Initiative and referendum petitions must be signed by City electors, or City residents certified by the City Clerk as being a resident, equal to at least ten percent (10%) of the

total number of electors living within the City as of the most previous election. All petition papers shall be uniform in size and style and shall be printed on separate cards or individual pieces of paper. Adequate space must be provided for the signer's name, address, signature, and date of signature. Petitions shall contain, or have attached thereto, throughout their circulation the full text of the ordinance or resolution proposed or sought to be reconsidered. When filed, petitions shall have attached a statement executed by the circulator or circulators of the petitions that he, she, or they personally circulated the petitions.

**Section 10.06 Verification of Petitions.**

The petitioner's committee shall submit the completed petitions to the City Clerk, who will send the signed petitions of electors to the Santa Rosa County Supervisor of Elections for verification as to the number of registered electors whose valid signatures appear thereon, along with any fee required by general law.

**ARTICLE XI: AMENDMENTS**

**Section 11.01 Proposals.**

The City Council may propose amendments by ordinance to this Charter. Upon adoption of the initiating ordinance, the City Council shall submit 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. The electors of the City may propose amendments to this Charter by petition. Each petition proposing amendments to this Charter shall be commenced in the same manner as an ordinance proposed by initiative in Article X of this Charter. Except as additionally provided for herein, the method for Charter amendments shall be consistent with State law.

**ARTICLE XII: CODE OF ETHICS**

**Section 12.01 Establishment.**

All elected, appointed, or hired officials of the City shall be required to abide by the City Code of Ethics contained herein in addition to any additional Code set forth by County, State, or Federal Law. All individuals, holding trust or office of the City, shall be held with the responsibility to act in a cordial and respectable manner at all functions of the City and to not grievously insult any individual or group, while functioning as an official or employee of the City. All individuals, holding trust or office of the City, shall uphold themselves to their highest personal principles and morals whilst in the service of the people and City of Navarre Beach.

**Section 12.02 Protection of Rights and Ideals.**

All individuals, holding trust or office of the City, shall be held with the responsibility to uphold American ideals through their own actions as members of the government and staff of the people and City. They shall be considered negligent of this responsibility by restricting, purposely delaying, or obstructing the rights, privileges, or freedoms of the people, for selfish purpose or invalid cause. All individuals, holding trust or office of the City, shall be held with the responsibility of safeguarding the health, safety, and welfare of the people in all facets.

**Section 12.03 Non-Discrimination.**

No individuals, holding trust or office of the City, shall ever discriminate against any individual or group due on account of race, color, culture, national origin, creed, religion, gender, sexual orientation, political affiliation, age, disability, marital status, pregnancy, family or parental status, income derived from a public assistance program, or military status.

**Section 12.04 Enforcement.**

Serious breakages of this Code of Ethics shall be considered substantial enough grounds for impeachment, firing, recall, or other likewise removal from the office or position under the trust of the City.

**ARTICLE XIII: TRANSITION**

**Section 13.01 Creation and Establishment of the City.**

The City of Navarre Beach shall come into existence upon approval of a majority of the electors voting at a referendum on the Charter. The City and the Charter thereof will become effective upon the last day of the same year of that referendum.

**Section 13.02 Initial Election of City Officials.**

13.021. Following the adoption of this Charter by the electorate, a special election for the election of all then existing elected position members shall be held on the first Saturday in March in the year after the Charter becomes effective. Any individual who is residing within the City intending to run for available elected office and who is qualified to do so, as defined by Section 9.3 of this Charter, shall qualify as a candidate with the applicable supervisor of elections no earlier than one minute past midnight (12:01 A.M.) the day after this Charter goes into effect, nor later than one minute before midnight (11:59 P.M.) on the twenty-first day of January in the calendar year in which the election is to be held, in accordance with the provisions of this Charter and Florida law.

13.022. This initial election shall, for all intents and purposes, act as a general election without a preceding primary election. All candidates registered according to Section 13.21 shall appear on the ballot for their respective positions.

13.023. At this first election, under this Charter, the Mayor, City Council, and applicable Commission Members shall be elected. Those candidates who are elected within this initial election shall not receive otherwise applicable compensation during the first year of their service. They shall not be considered to have served a full term in their respective offices for the purposes of term limits, and they may, if so reelected, serve through the whole amount of terms prescribed for their respective positions. City Councilors of the 1st Ward and 3rd Ward shall be the first Councilors subject to election in a manner consistent with Section 9.4. All subsequent elections for election office within the City shall be consistent with all applicable sections and articles of this Charter to include an offsetting of City Council elections as described in Section 9.4.

13.024. Those candidates who are elected within this election shall take office at the initial meeting of the City Council, which shall be held on the first Saturday of April, that is not on the first day of April, at five hours past noon (5:00 P.M.), at a place to be designated by the Mayor.

### **Section 13.03 Interim Continuing of Codes, Ordinances, and Programs.**

Until otherwise modified or replaced by this Charter or the City Council, all Codes, ordinances and resolutions of Santa Rosa County in effect on the date of adoption of this Charter shall, to the extent applicable to the City, remain in full force and effect as municipal Codes, ordinances and resolutions of the City. Until otherwise determined by the City Council, said codes, ordinances and resolutions shall be applied, interpreted and implemented by the City in a manner consistent with established policies of Santa Rosa County on the date of this Charter. Contractual services for law enforcement, emergency management, public works, animal control, library services, and solid waste collection may be supplied by a contract between the City and County, special districts, municipalities, or private enterprises until such time as the council establishes such independent services. However, existing solid-waste contracts shall be honored as required by law.

### **Section 13.04 Transfer of Public Property.**

13.041. The City shall, with transition that shall be agreed upon through interlocal agreement, take up ownership, control, and management of Santa Rosa County property within the City limits. This shall not include property that, as of the enactment of this Charter, is primarily used by and for the Santa Rosa County Sheriff's Office, the Santa Rosa County Library System, the Santa Rosa County School District, and the Navarre Beach Utility System.

13.42. The City may, through interlocal agreement with Santa Rosa County, provide for the continuation of ownership, control, and management of select properties and facilities by Santa Rosa County.

### **Section 13.05 State-Shared Revenues.**

The City shall be entitled to participate in all revenue sharing programs of the state effective starting the first Saturday of April, not being the first day of the month. The provisions of statute 218.23(1) of the Florida Statutes, shall be waived for the purpose of conducting audits and financial reporting through the end of the first full fiscal year following incorporation. Initial revised population estimates for calculating eligibility for shared revenues shall be recognized as forty-five thousand (45,000) people.

**Section 13.06 Local Option Gas Tax Revenues.**

The City shall be entitled to receive local option gas tax revenues beginning upon the first day of incorporation. The distributions of this shall be equal to thirty dollars (\$30) per resident of the City. For the purpose of this article, the initial estimate of the population of Navarre will be estimated at forty-five-thousand (45,000).

**Section 13.07 Independent Special Districts.**

Certain services within the municipal boundaries are provided by independent special districts whose boundaries lie wholly within the municipal boundaries of the City, and are created by special acts of the Legislature. The City Council is empowered to merge the functions of such districts with the functions of the municipality only upon dissolution of such district, or upon a vote of an agreeing majority of the Council and an affirmative vote of a majority of the governing body of the district, after meeting all requirements for merger or dissolution in the district's enabling legislation and the Florida Statutes. Interlocal agreements may be necessary between the City and such districts, and the Council shall endeavor to maximize the benefits of the districts to the fullest extent possible. In the event the Council desires to supplement services determined to be inadequate, the Council shall be fully empowered to do so.

**Section 13.08 Severability**

If any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter or the context in which such section or part of a section so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

**Section 13.09 Elimination of Transitional Elements from this Charter.**

Upon completion of the transitional phases provided in this Charter, the sections of the Charter relating to transition may be eliminated from this Charter.

**Section 13.10 Effective Date.**

This act shall only take effect upon the first (1<sup>st</sup>) day of January in the calendar year following the Charter's approval by a majority of those qualified electors residing within the proposed municipal limits of the proposed City of Navarre Beach, as described in

Article II of the Charter, voting in a referendum election to be called by the Board of County Commissioners of Santa Rosa County and to be held at the next general election after passage of this act. If approved by a majority of the qualified voters voting, then this act and Charter shall take effect upon certification of the election results by the Santa Rosa County Supervisor of Elections, or equivalent state authorities if appropriate.