

1 A bill to be entitled
 2 An act relating to Osceola County; creating the Town of
 3 Celebration; providing for a council-manager government;
 4 providing boundaries; providing council powers and duties;
 5 providing for a mayor and deputy mayor; providing for
 6 compensation; providing for vacancies; providing for
 7 meetings; providing for a town manager; providing for
 8 appointment; providing powers and duties; providing for
 9 departments; providing for a town clerk and town attorney;
 10 providing for a budget message; providing for a budget;
 11 providing for appropriation and revenue ordinances;
 12 providing for amendments to the budget; providing for
 13 oversight of the budget; providing for an independent
 14 audit; providing for elections; providing for initial
 15 elections; providing for charter review and amendment;
 16 providing for transition; providing for state-shared
 17 revenue; providing for gas tax revenue; providing for
 18 shared revenues; requiring a referendum; providing an
 19 effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:
 22

23 Section 1. Preamble.--We the people of the Town of
 24 Celebration, under the constitution and laws of the State of
 25 Florida, in order to secure the benefits of local self-
 26 government and to provide for an honest and accountable council-
 27 manager government, do hereby adopt this charter and confer upon
 28 the town the following powers, subject to the following

29 restrictions and prescribed by the following procedures and
 30 governmental structure. By this action, we secure the benefits
 31 of home rule and affirm the values of representative democracy,
 32 professional management, strong political leadership, citizen
 33 participation, and regional cooperation.

34 Section 2. Creation; powers of the town; form of
 35 government; corporate boundaries.--

36 (1) CREATION.--The Town of Celebration is hereby created
 37 and established.

38 (2) POWERS OF THE TOWN.--The town shall have all powers
 39 possible for a town to have under the constitution and laws of
 40 the state as fully and completely as though they were
 41 specifically enumerated in this charter.

42 (3) CONSTRUCTION.--The powers of the town under this
 43 charter shall be construed liberally in favor of the town, and
 44 the specific mention of particular powers in the charter shall
 45 not be construed as limiting in any way the general power
 46 granted in this section.

47 (4) FORM OF GOVERNMENT.--The town shall have a council-
 48 manager form of government as defined in sections 3 and 4.

49 (5) CORPORATE BOUNDARIES.--The boundaries are as follows:

50
 51 PARCEL A

52
 53 A parcel of land lying in Sections 8 and 9, Township
 54 25 South, Range 28 East, Osceola County, Florida, and
 55 being more particularly described as follows:

56

57 Commence at the Northeast corner of said Section 8,
58 run along the East line of the Northeast 1/4 of said
59 Section, S 00°12'23"E, 132.00 feet to a point on the
60 Southerly right-of-way line of U.S. 192; thence run
61 along said right-of-way N 89°47'42" E, 269.87 feet, to
62 a point of intersection with Northwesterly right-of-
63 way line of the proposed Southern Connector Extension,
64 departing said U.S. 192 run along said Southern
65 Connector Extension the following five courses, said
66 point being a point on a curve concaved Northwesterly
67 having a radius of 6350.30 feet, and a central angle
68 of 04°49'13", thence from a tangent bearing of S
69 43°08'17" W run Southwesterly along the arc of said
70 curve, 534.26 feet; to a point on a non-tangent curve
71 concaved Northwesterly having a radius of 4489.87
72 feet, and a central angle of 10°09'47", thence from a
73 tangent bearing of S 50°33'11" W run Southwesterly
74 along the arc of said curve, 796.41 feet; thence S
75 60°42'58" W, 898.49 feet, to a point of curvature of a
76 curve concaved Northerly having a radius of 622.23
77 feet, and a central angle of 18°21'17", thence run
78 Westerly along the arc of said curve, 199.33 feet; to
79 a point of compound curvature of a curve concaved
80 Northeasterly having a radius of 100.00 feet, and a
81 central angle of 115°39'09", thence run Northwesterly
82 along the arc of said curve, 201.86 feet; to a point
83 on the Easterly right-of-way line of the proposed U.S.
84 192 Connector Road departing said Southern Connector

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85 Extension run along said Connector Road the following
86 four courses; said point being a point of compound
87 curvature of a curve concaved Easterly having a radius
88 of 556.65 feet, and a central angle of 35°25'35",
89 thence run Northerly along the arc of said curve,
90 344.19 feet; thence N 50°09'02" E, 636.05 feet, to a
91 point of curvature of a curve concaved Northwesterly
92 having a radius of 716.65 feet, and a central angle of
93 40°11'19", thence run Northeasterly along the arc of
94 said curve 502.68 feet; to a point of reverse
95 curvature of a curve concaved Southeasterly having a
96 radius of 100.00 feet, and a central angle of
97 79°58'26", thence run Northeasterly along the arc of
98 said curve, 139.58 feet to a point on the aforesaid
99 U.S. 192 right-of-way; thence departing said Connector
100 Road run along said U.S. 192 N 89°45'45" E, 838.90
101 feet, to the Point of Beginning, containing 24.261
102 acres more or less.

103
104 together with

105
106 PARCEL B

107
108 A parcel of land lying in section 8, Township 25
109 South, Range 28 East, Osceola County, Florida, and
110 being more particularly described as follows:

111
112 Commence at the Northwest corner of said Section 8,

113 run along the West line of the Northwest 1/4 of said
 114 Section, S 00°18'17" E, 299.30 feet; thence N
 115 90°00'00" E, 168.61 feet a point of intersection with
 116 the Northerly right-of-way line of U.S. 192 and the
 117 Point of Beginning; thence run along said U.S. 192 the
 118 following five courses N 69°14'08" E, 104.92 feet, to
 119 a point of curvature of a curve concaved Southerly
 120 having a radius of 1342.40 feet, and a central angle
 121 of 19°21'25", thence run Easterly along the arc of
 122 said curve, 453.52 feet; thence N 88°35'33" E, 600.08
 123 feet; thence N 83°15'36" E, 300.22 feet; thence N
 124 89°45'46" E, 2467.49 feet, to a point on the Westerly
 125 right-of-way line of the proposed U.S. 192 Connector
 126 Road thence departing said U.S. 192 run along said
 127 Connector Road the following five courses; said point
 128 being a point of curvature of a curve concaved
 129 Southwesterly having a radius of 100.00 feet, and a
 130 central angle of 108°25'21", thence run Southeasterly
 131 along the arc of said curve, 189.22 feet; to a point
 132 of compound curvature of a curve concaved
 133 Northwesterly having a radius of 556.65 feet, and a
 134 central angle of 31°57'56", thence run Southwesterly
 135 along the arc of said curve, 310.56 feet; thence S
 136 50°09'02" W, 636.05 feet, to a point of curvature of a
 137 curve concaved Southeasterly having a radius of 716.65
 138 feet, and a central angle of 31°31'50", thence run
 139 Southwesterly along the arc of said curve, 394.38
 140 feet; thence S 18°37'09" W, 331.74 feet to a point of

141 intersection with the Northerly right-of-way line of
 142 the proposed Southern Connector Extension; thence
 143 departing said Connector Road run along said Southern
 144 Connector Extension then following two courses S
 145 68°44'39" W, 1371.33 feet; to a point on a non-tangent
 146 curve concaved Northerly having a radius of 6350.30
 147 feet, and a central angle of 01°22'23", thence from a
 148 tangent bearing of S 81°04'17" W run Westerly along
 149 the arc of said curve, 152.17 feet to a point or
 150 intersection with the Easterly boundary line of Reedy
 151 Creek Improvement District Canal C-2; thence departing
 152 said Southern Connector Extension run along said Canal
 153 C-2 the following two courses N 37°11'45" W, 1295.83
 154 feet; thence N 47°43'15" W, 1086.16 feet, to the Point
 155 of Beginning, containing 104.687 acres more or less.

156
 157 together with

158
 159 PARCEL C

160
 161 A parcel of land lying in Sections 7 and 8, Township
 162 25 South, Range 28 East, Osceola County, Florida, and
 163 being more particularly described as follows:

164
 165 Commence at the Northwest corner of said Section 8,
 166 run along the West line of the Northwest 1/4 of said
 167 Section, S 00°18'17" E, 363.10 feet to a point of
 168 intersection with the Easterly right-of-way line of

169 Interstate No. 4, and the Point of Beginning; thence N
 170 69°14'08" E, 11.68 feet along said Interstate No. 4,
 171 to a point of intersection with the Westerly boundary
 172 of Reedy Creek Improvement District Canal C-2; thence
 173 departing said Interstate No.4 run along said Canal C-
 174 2 the following two courses S 47°43'15" E, 1148.63
 175 feet; thence S 37°11'45" E, 1193.92 feet, to a point
 176 of intersection with the Northerly right-of-way line
 177 of the proposed Southern Connector Extension; thence
 178 departing said canal C-2 run along said Southern
 179 Connector Extension the following nine courses S
 180 86°42'40" W, 597.64 feet; thence S 89°24'29" W, 932.68
 181 feet; thence N 85°49'42" W, 240.84 feet; thence N
 182 40°23'51" W, 78.11 feet; thence S 89°24'29" W, 385.02
 183 feet; thence S 55°43'05" W, 144.23 feet; thence S
 184 89°24'29" W, 1060.05 feet; thence N 89°43'29" W,
 185 1103.81 feet to a point of intersection with the
 186 aforesaid Interstate No. 4; thence departing said
 187 Southern Connector Extension run along said Interstate
 188 No. 4 the following four courses N 39°57'15" E, 756.26
 189 feet; thence N 44°44'08" E, 340.31 feet; to a point of
 190 curvature at a curve concave Southeasterly having a
 191 radius at 1342.44, a central angle of 24°30'00",
 192 thence run Northeasterly along the arc of said curve,
 193 574.04 feet; thence N 69°14'08" E, 1820.94 feet, to
 194 the Point of Beginning, containing 109.154 acres more
 195 or less.
 196

197 PARCEL D

198
 199 A parcel of land lying in sections 13, 23 and 24,
 200 Township 25 South, Range 27 East, and Sections 7, 8,
 201 9, 17, 18, 19, 20 and 30, Township 25 South, Range 28
 202 East, Osceola County, Florida, and being more
 203 particularly described as follows:

204
 205 Commence at the Northwest corner of said Section 9,
 206 run along the North line of the Northwest 1/4 of said
 207 Section, N 89°47'42" E, 622.86 feet; thence S
 208 00°12'18" E, 132.00 feet, to a point of intersection
 209 with the Westerly boundary line of Reedy Creek
 210 Improvement District Canal C-1 and the Southerly
 211 right-of-way line of U.S. 192 said point being a point
 212 of curvature of a curve concaved Easterly having a
 213 radius at 450.00 feet, and a central angle or
 214 09°36'29", thence run Southerly along the arc of said
 215 curve, 75.46 feet to a point of intersection with the
 216 Southerly and easterly right-of-way line of the
 217 proposed Southern Connector Extension and the Point of
 218 Beginning; thence run along said Canal C-1 the
 219 following seven courses; continue along said arc
 220 concaved Northeasterly having a radius of 450.00 feet,
 221 and a central angle of 50°15'51", thence run
 222 Southeasterly along the arc of said curve, 394.77
 223 feet; thence S 60°04'38" E, 118.30 feet, to a point of
 224 curvature of a curve concaved Southwesterly having a

225 radius of 150.00 feet, and a central angle of
 226 60°00'00", thence run Southeasterly along the arc of
 227 said curve, 157.08 feet; thence N 89°55'22" E, 40.00
 228 feet; thence S 00°04'25" E, 2369.91 feet; thence N
 229 89°56'33" E, 50.00 feet; thence S 00°03'27" E, 200.00
 230 feet to the end of said Canal C-1 and the beginning of
 231 Reedy Creek Improvement District Levee D-6; thence run
 232 along said Levee D-6 S 00°03'27" E, 670.55 feet;
 233 thence departing said Levee D-6 run S 47°23'03" W,
 234 1794.78 feet; thence N 75°57'54" W, 2061.55 feet;
 235 thence S 53°52'46" W, 4747.05 feet; thence S 13°19'33"
 236 E, 1235.00 feet; thence S 57°29'14" E, 837.20 feet;
 237 thence S 26°03'58" E, 3172.66 feet; thence S 45°00'05"
 238 E, 707.11 feet; thence S 09°55'30" W, 2030.39 feet;
 239 thence N 65°37'30" W, 1163.91 feet; thence N 44°47'06"
 240 W, 1831.04 feet; thence S 48°53'12" W, 715.92 feet;
 241 thence N 65°37'30" W, 341.01 feet; thence N 26°33'59"
 242 W, 2124.26 feet; thence S 68°44'53" W, 965.66 feet;
 243 thence S 16°54'23" E, 5330.34 feet; thence S 50°31'34"
 244 W, 1101.14 feet; thence N 41°38'06" W, 4214.56 feet;
 245 thence N 18°02'08" W, 2261.08 feet; thence S 89°59'55"
 246 W, 1650.00 feet; thence S 00°00'05" E, 1224.24 feet;
 247 thence S 35°39'14" W, 1200.88 feet; thence S 89°59'55"
 248 W, 1800.00 feet; thence N 34°46'45" W, 1157.70 feet;
 249 thence N 27°43'20" W, 492.90 feet; thence N 01°09'30"
 250 W, 124.30 feet; thence N 50°54'37" W, 282.74 feet;
 251 thence S 59°21'14" W, 36.00 feet; thence N 38°52'34"
 252 W, 156.01 feet to a point of intersection with the

253 Easterly right-of-way line of Interstate No. 4; thence
254 run along said Interstate No. 4 N 39°57'15" E, 502.67
255 feet to a point on Easterly right-of-way line of the
256 proposed World Drive Interchange; thence departing
257 said Interstate No.4 run along said World Drive
258 Interchange the following nineteen courses N 43°58'16"
259 E, 1918.88 feet, to a point of curvature of a curve
260 concaved Southerly having a radius of 622.20 feet, and
261 a central angle of 73°46'51", thence run Easterly
262 along the arc of said curve, 801.22 feet; to a point
263 of compound curvature of a curve concaved
264 Southwesterly having a radius of 2406.00 feet, and a
265 central angle of 15°39'47", thence run Southeasterly
266 along the arc of said curve, 657.74 feet; to a point
267 of compound curvature of a curve concaved
268 Southwesterly having a radius of 3677.72 feet, and a
269 central angle of 09°13'42", thence run Southeasterly
270 along the arc of said curve, 592.35 feet; thence S
271 37°21'24" E, 115.64 feet; thence N 52°38'36" E, 295.00
272 feet; thence N 37°21'24" W, 290.29 feet; thence N
273 33°58'57" W, 295.13 feet, to a point of curvature of a
274 curve concaved Easterly having a radius of 724.51
275 feet, and a central angle of 32°07'30", thence run
276 Northerly along the arc of said curve, 406.22 feet;
277 thence N 01°51'30" W, 914.66 feet, to a point of
278 curvature of a curve concaved Easterly having a radius
279 of 1433.89 feet, and a central angle of 30°54'28",
280 thence run Northerly along the arc of said curve,

281 773.50 feet; thence N 31°08'22" E, 714.42 feet; thence
282 N 32°17'03" E, 68.88 feet; to a point of curvature of
283 a curve concaved Southeasterly having a radius of
284 4489.66 feet, and a central angle of 06°27'44", thence
285 run Northeasterly along the arc of said curve, 506.37
286 feet; thence N 38°44'50" E, 91.15 feet; thence N
287 51°13'07" W, 15.63 feet; thence N 39°57'15" E, 399.78
288 feet, to a point of curvature of a curve concaved
289 Southeasterly having a radius of 17028.73 feet, and a
290 central angle of 05°21'16", thence run Northeasterly
291 along the arc of said curve, 1591.38 feet; to a point
292 of reverse curvature of a curve concave Northwesterly
293 having a radius of 17348.73 feet, and a central angle
294 of 00°22'04", thence run Northeasterly along the arc
295 of said curve, 111.39 feet; thence N 45°03'33" W,
296 10.00 feet, to a point on the Easterly right-of-way
297 line of Interstate No. 4, said point being a point on
298 a non-tangent curve concaved Northwesterly having a
299 radius of 17338.73 feet, and a central angle of
300 04°36'49", thence departing said Interchange from a
301 tangent bearing of N 44°56'27" E run Northeasterly
302 along the arc of said curve and right-of-way, 1396.13
303 feet to a point on Easterly right-of-way line of the
304 proposed Southern Connector Extension; thence
305 departing said Interstate No.4 run along said Southern
306 Connector Extension the following nine courses S
307 50°00'13" E, 12.29 feet; thence N 39°59'48" E, 2244.32
308 feet, to a point of curvature of a curve concaved

309 Southeasterly having a radius of 2197.93 feet, and a
310 central angle of 43°25'21", thence run Northeasterly
311 along the arc of said curve, 1665.74 feet; thence N
312 89°24'29" E, 1915.79 feet; thence S 62°28'51" E, 74.28
313 feet; thence N 86°04'11" E, 601.05 feet; thence N
314 89°24'29" E, 572.66 feet, to a point of curvature of a
315 curve concaved Northerly having a radius of 6650.31
316 feet; and a central angle of 03°04'40", thence run
317 Easterly along the arc of said curve, 357.24 feet; to
318 a point on a non-tangent curve concaved Northerly
319 having a radius of 9094.42 feet, and a central angle
320 of 02°56'22", thence from a tangent bearing of N
321 89°11'23" E run Easterly along the arc of said curve,
322 466.56 feet to a point of intersection with the
323 Westerly boundary of Reedy Creek Improvement District
324 Canal C-2; thence run along said canal S 37°11'45" E,
325 509.35 feet to the end of said canal; thence N
326 52°48'15" E, 150.00 feet to the Easterly boundary of
327 said canal; thence run along said Easterly boundary N
328 37°11'45" W, 412.37 feet, to a point of intersection
329 with the aforesaid Southern Connector Extension
330 departing said canal run along said Southern Connector
331 Extension the following three courses, said point
332 being a point on a non-tangent curve concaved
333 Northerly having a radius of 9094.42 feet, and a
334 central angle of 03°12'54", thence from a tangent
335 bearing of N 85°07'30" E run Easterly along the arc of
336 said curve, 510.31 feet; thence N 81°54'37" E, 565.99

337 feet, to a point of curvature of a curve concaved
338 Southwesterly having a radius of 75.00 feet, and a
339 central angle of 112°31'25", thence run Southeasterly
340 along the arc of said curve, 147.30 feet, to a point
341 on the Westerly right-at-way line of the U.S. 192
342 Connector Road; thence departing said Southern
343 Connector Extension run along said Connector Road the
344 following two courses, said point being a point of
345 compound curvature of a curve concaved Northwesterly
346 having a radius of 556.65 feet, and a central angle of
347 30°26'07", thence run Southwesterly along the arc of
348 said curve, 295.69 feet; thence S 44°52'16" W, 10.49
349 feet to the Southerly end of said road; thence run
350 along. the Southerly end of said Road S 45°07'52" E,
351 160.00 feet to the Easterly right-of-way line of said
352 Road; thence run along the Easterly right-of-way line
353 of said Road the following three courses N 44°52'13"
354 E, 10.49 feet, to a point of curvature of a curve
355 concaved Northwesterly having a radius of 716.65 feet,
356 and a central angle of 18°53'36", thence run
357 Northeasterly along the arc of said curve, 236.32
358 feet; thence N 25°58'34" E, 296.65 feet, to a point of
359 intersection with the Southerly right-of-way line of
360 the aforesaid Southern Connector Extension; thence
361 departing said Connector Road run along the Southern
362 Connector Extension the following five courses N
363 70°57'59" E, 236.52 feet, to a point of curvature of a
364 curve concaved Northwesterly having a radius of

365 1048.98 feet, and a central angle of 21°44'30", thence
 366 run Northeasterly along the arc of said curve, 398.05
 367 feet; thence N 49°13'29" E, 1704.39 feet, to a point
 368 of curvature of a curve concaved Northwesterly having
 369 a radius of 5823.85 feet, and a central angle of
 370 06°17'07", thence run Northeasterly along the arc of
 371 said curve, 638.86 feet; thence N 44°45'37" E, 313.38
 372 feet, to the Point of Beginning, containing 2568.687
 373 acres more or less.

374
 375 Section 3. Town council.--

376 (1) GENERAL POWERS AND DUTIES.--All powers of the town
 377 shall be vested in the town council, except as otherwise
 378 provided by law or this charter, and the council shall provide
 379 for the exercise thereof and for the performance of all duties
 380 and obligations imposed on the town by law.

381 (2) COMPOSITION; TERM OF OFFICE; ELECTION.--There shall be
 382 a town council composed of four members elected by the voters of
 383 the town at large for 4-year terms of office and one mayor
 384 elected separately by the voters of the town for a 4-year term
 385 of office in accordance with section 7.

386 (3) QUALIFICATIONS FOR ELECTED OFFICIALS AND
 387 CANDIDATES.--The mayor, council members, and candidates for town
 388 council shall be registered voters who have resided in the town
 389 for at least 1 year immediately prior to the date on which they
 390 qualify for office and must maintain residency and voter
 391 registration during their entire term of office.

392 (4) MAYOR.--The mayor shall be a voting member of the town

393 council and shall attend and preside at meetings of the council,
 394 represent the town in intergovernmental relationships, present
 395 an annual state of the town message, and perform other duties
 396 specified by the council. The mayor shall be recognized as head
 397 of the town government for all ceremonial purposes and by the
 398 Governor for purposes of military law but shall have no
 399 administrative duties.

400 (5) DEPUTY MAYOR.--At the first regular meeting after the
 401 swearing in of new council members, the council shall elect from
 402 among its members a deputy mayor who shall serve for a period of
 403 2 years. The deputy mayor shall act as mayor during the absence
 404 or disability of the mayor.

405 (6) VACANCIES; FORFEITURE OF OFFICE; FILLING OF
 406 VACANCIES.--

407 (a) Vacancies.--The office of a council member or mayor
 408 shall become vacant upon the member's death, resignation,
 409 removal from office, or forfeiture of office in any manner
 410 authorized by law.

411 (b) Forfeiture of office.--The mayor or a council member
 412 shall forfeit that office if the council member or mayor:

- 413 1. Fails to meet the residency requirements;
- 414 2. Violates any express prohibition of this charter;
- 415 3. Is convicted of a crime involving moral turpitude; or
- 416 4. Fails to physically attend three consecutive regular
 417 meetings of the council without being excused by the council.

418 (c) Filling of vacancies.--A vacancy in the town council
 419 shall be filled for the remainder of the unexpired term, if any,
 420 at the next regular election. If the next regular election

421 occurs within 60 days after the vacancy occurred, the seat will
422 remain vacant until filled by a vote of the electors. If the
423 election occurs more than 60 days after the date the vacancy
424 occurred, the town council, by a majority vote of all its
425 remaining members, shall appoint a qualified person to fill the
426 vacancy until the election occurs. If the council fails to
427 appoint such person within 30 days after the occurrence of the
428 vacancy, the town clerk shall call a special election to fill
429 the vacancy. This election shall be held not later than 90 days
430 after the occurrence of the vacancy and will be governed by law.
431 Notwithstanding any quorum requirements established herein, if
432 at any time the membership of the council is reduced to fewer
433 than three members, the remaining members may, by unanimous
434 vote, appoint additional members to raise the membership to a
435 minimum of three.

436 (d) Extraordinary vacancies.--In the event that all
437 council members are removed by death, disability, resignation,
438 or forfeiture of office, or any combination thereof, the
439 Governor shall appoint interim council members who shall call a
440 special election within not fewer than 30 days or more than 60
441 days after such appointment. Such election shall be held in the
442 same manner as the initial elections under this charter.
443 Appointees must meet all requirements for candidates as provided
444 in this charter.

445 (7) JUDGE OF QUALIFICATIONS.--The town council shall be
446 the judge of the election and qualifications of its members and
447 of the grounds for forfeiture of their offices. In order to
448 exercise these powers, the council shall have power to subpoena

449 witnesses, administer oaths, and require the production of
450 evidence. A member charged by the council with conduct
451 constituting grounds for forfeiture of office shall be entitled
452 to a public hearing on demand, and notice of such hearing shall
453 be published in one or more newspapers of general circulation in
454 the town at least 1 week in advance of the hearing.

455 (8) COMPENSATION AND EXPENSES.--

456 (a) The council may determine the annual salary of the
457 mayor and council members by ordinance, but no ordinance
458 increasing such salary shall become effective until the date of
459 commencement of the new terms of each council member.

460 (b) The mayor and council members shall receive
461 reimbursement for council-approved expenses in accordance with
462 applicable law, or as may be otherwise provided by ordinance,
463 for authorized travel and per diem expenses incurred in the
464 performance of their official duties.

465 (9) PROHIBITIONS.--

466 (a) Holding other office.--

467 1. Except as authorized by law, no council member shall
468 hold any other elected public office during the term for which
469 the member was elected to the council. No council member shall
470 hold any other city office or employment during the term for
471 which the member was elected to the council. No former council
472 member shall hold any compensated appointive office or
473 employment with the city until 1 year after the expiration of
474 the term for which the member was elected to the council, unless
475 granted a waiver by a super majority vote of the total council.

476 2. Nothing in this subsection shall be construed to
 477 prohibit the council from selecting any current or former
 478 council member to represent the town on the governing board of
 479 any regional or other intergovernmental agency.

480 (b) Appointments and removals.--Neither the town council
 481 nor any of its members shall in any manner control or demand the
 482 appointment or removal of any town administrative officer or
 483 employee whom the town manager or any subordinate of the town
 484 manager is empowered to appoint, but the council may express its
 485 views and fully and freely discuss with the town manager
 486 anything pertaining to appointment and removal of such officers
 487 and employees.

488 (c) Interference with administration.--Except for the
 489 purpose of inquiries and investigations under subsection (10),
 490 the council or its members shall deal with town officers and
 491 employees who are subject to the direction and supervision of
 492 the town manager solely through the town manager, and neither
 493 the council nor its members shall give orders to any such
 494 officer or employee, either publicly or privately.

495 (10) INVESTIGATIONS.--The council may make investigations
 496 into the affairs of the town and the conduct of any town
 497 department, office, or agency and for this purpose may subpoena
 498 witnesses, administer oaths, take testimony, and require the
 499 production of evidence.

500 (11) MEETINGS.--

501 (a) Regular meetings.--The council shall conduct regular
 502 meetings at such times and places as the council shall prescribe
 503 by resolution. Such meetings shall be public meetings within the

504 meaning of state law and shall be subject to notice and other
 505 requirements of law applicable to public meetings.

506 (b) Special meetings.--Special meetings may be held upon
 507 the call of the mayor or of two or more council members and,
 508 whenever feasible, upon no less than 48 hours' notice to each
 509 member and to the public.

510 (c) Rules.--The council shall determine its own rules and
 511 order of business.

512 Section 4. Town manager.--

513 (1) APPOINTMENT, QUALIFICATIONS, COMPENSATION.--The town
 514 council, by a majority vote of its total membership, shall
 515 appoint a town manager for an indefinite term and fix the
 516 manager's compensation.

517 (2) REMOVAL.--If the town manager declines to resign at
 518 the request of the town council, the town council may suspend
 519 the manager by a resolution approved by the majority of the
 520 total membership of the town council. Such resolution shall set
 521 forth the reasons for suspension and proposed removal. A copy of
 522 such resolution shall be served immediately upon the town
 523 manager. The town manager shall have 15 days to reply in writing
 524 and, upon request, shall be afforded a public hearing, which
 525 shall occur not earlier than 10 days nor later than 15 days
 526 after such hearing is requested. After the public hearing, if
 527 one is requested, and after full consideration, the town council
 528 by a majority vote of its total membership may adopt a final
 529 resolution of removal. The town manager shall continue to
 530 receive full salary until the effective date of a final
 531 resolution of removal.

532 (3) ACTING TOWN MANAGER.--By letter filed with the town
 533 clerk, the town manager shall designate a town officer or
 534 employee to exercise the powers and perform the duties of town
 535 manager during the manager's temporary absence or disability;
 536 the town council may revoke such designation at any time and
 537 appoint another officer of the town to serve until the manager
 538 returns.

539 (4) POWERS AND DUTIES OF THE TOWN MANAGER.--The town
 540 manager shall be the chief executive officer of the town and
 541 responsible to the council for the management of all town
 542 affairs placed in the manager's charge by or under this charter.
 543 The town manager shall:

544 (a) Appoint and suspend or remove all town employees and
 545 appointive administrative officers provided for, by, or under
 546 this charter, except as otherwise provided by law, this charter,
 547 or personnel rules adopted pursuant to this charter. The town
 548 manager may authorize any administrative officer subject to the
 549 manager's direction and supervision to exercise these powers
 550 with respect to subordinates in that officer's department,
 551 office, or agency.

552 (b) Direct and supervise the administration of all
 553 departments, offices, and agencies of the town, except as
 554 otherwise provided by this charter or by law.

555 (c) Attend all town council meetings. The town manager
 556 shall have the right to take part in discussion but shall not
 557 vote.

558 (d) See that all laws, provisions of this charter, and
 559 acts of the town council, subject to enforcement by the town

560 manager or by officers subject to the manager's direction and
 561 supervision, are faithfully executed.

562 (e) Prepare and submit the annual budget and capital
 563 program to the town council and implement the final budget
 564 approved by the council to achieve the goals of the town.

565 (f) Submit to the town council and make available to the
 566 public a complete report on the finances and administrative
 567 activities of the town as of the end of each fiscal year.

568 (g) Make such other reports as the town council may
 569 require concerning operations.

570 (h) Keep the town council fully advised as to the
 571 financial condition and future needs of the town.

572 (i) Make recommendations to the town council concerning
 573 the affairs of the town and facilitate the work of the town
 574 council in developing policy.

575 (j) Provide staff support services for the mayor and
 576 council members.

577 (k) Assist the council to develop long-term goals for the
 578 town and strategies to implement these goals.

579 (l) Encourage and provide staff support for regional and
 580 intergovernmental cooperation.

581 (m) Promote partnerships among council, staff, and
 582 citizens in developing public policy and building a sense of
 583 community.

584 (n) Perform such other duties as are specified in this
 585 charter or may be required by the town council.

586 Section 5. Departments, offices, and agencies.--

587 (1) GENERAL PROVISIONS.--

588 (a) Creation of departments.--The town council may
 589 establish town departments, offices, or agencies in addition to
 590 those created by this charter and may prescribe the functions of
 591 all departments, offices, and agencies. No function assigned by
 592 this charter to a particular department, office, or agency may
 593 be discontinued or, unless this charter specifically so
 594 provides, assigned to any other.

595 (b) Direction of town manager.--All departments, offices,
 596 and agencies under the direction and supervision of the town
 597 manager shall be administered by an officer appointed by and
 598 subject to the direction of the manager. With the consent of
 599 council, the town manager may serve as the head of one or more
 600 such departments, offices, or agencies or may appoint one person
 601 as the head of two or more of them.

602 (2) TOWN CLERK.--The town manager shall appoint and remove
 603 an officer of the town who shall have the title of town clerk.
 604 The town clerk shall give notice of council meetings to its
 605 members and the public, keep the journal of its proceedings,
 606 serve as the election official, and perform such other duties as
 607 are assigned by this charter, by the town manager, or by state
 608 law.

609 (3) TOWN ATTORNEY.--The town council shall appoint and
 610 remove from office an attorney who is a member in good standing
 611 of The Florida Bar. The town attorney shall serve as chief legal
 612 adviser to the council, the manager, and all town departments,
 613 offices, and agencies; shall represent the town in legal
 614 proceedings; and shall perform any other duties prescribed by

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615 state law, by this charter, by the town council, or by
616 ordinance.

617 Section 6. Financial management.--

618 (1) FISCAL YEAR.--The fiscal year of the town shall begin
619 on the first day of October and end on the last day of
620 September.

621 (2) SUBMISSION OF BUDGET AND BUDGET MESSAGE.--On or before
622 the first day of August of each year, the town manager shall
623 submit to the town council a budget for the ensuing year and an
624 accompanying message.

625 (3) BUDGET MESSAGE.--The town manager's message shall
626 explain the budget both in fiscal terms and in terms of the work
627 programs, linking those programs to organizational goals and
628 community priorities. It shall outline the proposed financial
629 policies of the town for the ensuing fiscal year and the impact
630 of those policies on future years. It shall describe the
631 important features of the budget; indicate any major changes
632 from the current year in financial policies, expenditures, and
633 revenues together with the reasons for such changes; summarize
634 the town's debt position, including factors affecting the
635 ability to raise resources through debt issues; and include such
636 other material as the town manager deems desirable.

637 (4) BUDGET.--The budget shall provide a complete financial
638 plan of all town funds and activities for the ensuing fiscal
639 year and, except as required by law or this charter, shall be in
640 such form as the town manager deems desirable or the town
641 council may require for effective management and an
642 understanding of the relationship between the budget and the

643 town's strategic goals. The budget shall begin with a clear
644 general summary of its contents; shall show in detail all
645 estimated income, indicating the proposed property tax levy, and
646 all proposed expenditures, including debt service, for the
647 ensuing fiscal year; and shall be so arranged as to show
648 comparative figures for actual income and expenditures of the
649 preceding fiscal year. It shall indicate in separate sections:

650 (a) The proposed goals and expenditures for current
651 operations during the ensuing fiscal year, detailed for each
652 fund by department or by other organizational unit, and program,
653 purpose, or activity; method of financing such expenditures; and
654 methods to measure outcomes and performance related to the
655 goals.

656 (b) Proposed longer-term goals and capital expenditures
657 during the ensuing fiscal year, detailed for each fund by
658 department or by other organization unit when practicable, the
659 proposed method of financing each such capital expenditure, and
660 methods to measure outcomes and performance related to the
661 goals.

662 (c) The proposed goals, anticipated income and expense,
663 profit and loss for the ensuing year for each utility or other
664 enterprise fund or internal service fund operated by the city,
665 and methods to measure outcomes and performance related to the
666 goals. For any fund, the total of proposed expenditures shall
667 not exceed the total of estimated income plus carried forward
668 fund balance exclusive of reserves.

669 (5) TOWN COUNCIL ACTION ON THE BUDGET.--

670 (a) Notice and hearing.--The town council shall publish
 671 the general summary of the budget and a notice stating:

672 1. The times and places where copies of the message and
 673 budget are available for inspection by the public.

674 2. The time and place, not less than 2 weeks after such
 675 publication, for public hearings on the budget.

676 (b) Amendment before adoption.--After the public hearing,
 677 the town council may adopt the budget with or without amendment.
 678 In amending the budget, the council may add or increase programs
 679 or amounts and may delete or decrease any programs or amounts
 680 except expenditures required by law or for debt service or for
 681 an estimated cash deficit, provided that no amendment to the
 682 budget shall increase the authorized expenditures to an amount
 683 greater than total estimated income.

684 (c) Adoption.--The town council shall adopt the budget on
 685 or before the last day of the month of September of the fiscal
 686 year currently ending. If it fails to adopt the budget by this
 687 date, the budget proposed by the town manager shall go into
 688 effect.

689 (d) "Publish" defined.--As used in this section, the term
 690 "publish" means to print in accordance with state law.

691 (6) APPROPRIATION AND REVENUE ORDINANCES.--To implement
 692 the adopted budget, the town council shall adopt, prior to the
 693 beginning of the fiscal year:

694 (a) An appropriation ordinance making appropriations by
 695 department, fund, service, strategy, or other organizational
 696 unit and authorizing an allocation for each program or activity;

697 (b) A tax levy ordinance authorizing the property tax levy
 698 or levies and setting the tax rate or rates; and

699 (c) Any other ordinances required to authorize new
 700 revenues or to amend the rates or other features of existing
 701 taxes or other revenue sources.

702 (7) AMENDMENTS AFTER ADOPTION.--

703 (a) Supplemental appropriations.--If, during or before the
 704 fiscal year, the town manager certifies that there are available
 705 for appropriation revenues in excess of those estimated in the
 706 budget, the town council by ordinance may make supplemental
 707 appropriations for the year up to the amount of such excess.

708 (b) Emergency appropriations.--To address a public
 709 emergency affecting life, health, property, or the public peace,
 710 the town council may make emergency appropriations. To the
 711 extent that there are no available unappropriated revenues or a
 712 sufficient fund balance to meet such appropriations, the council
 713 may by such emergency ordinance authorize the issuance of
 714 emergency notes, which may be renewed from time to time, but the
 715 emergency notes and renewals of any fiscal year shall be paid or
 716 refinanced as long-term debt not later than the last day of the
 717 fiscal year next succeeding that in which the emergency
 718 appropriation was made.

719 (c) Reduction of appropriations.--If, at any time during
 720 the fiscal year, it appears probable to the town manager that
 721 the revenues or fund balances available will not be sufficient
 722 to finance the expenditures for which appropriations have been
 723 authorized, the manager shall report to the town council without
 724 delay, indicating the estimated amount of the deficit, any

725 remedial action taken by the manager, and recommendations as to
726 any other steps to be taken. The council shall then take such
727 further action as it deems necessary to prevent or reduce any
728 deficit and for that purpose it may by ordinance reduce or
729 eliminate one or more appropriations.

730 (d) Transfer of appropriations.--At any time during or
731 before the fiscal year, the town council may by resolution
732 transfer part or all of the unencumbered appropriation balance
733 from one department, fund, service, strategy, or organizational
734 unit to the appropriation for other departments or
735 organizational units or a new appropriation. The manager may
736 transfer funds among programs within a department, fund,
737 service, strategy, or organizational unit and shall report such
738 transfers to the council in writing in a timely manner.

739 (e) Limitation; effective date.--No appropriation for debt
740 service may be reduced or transferred, except to the extent that
741 the debt is refinanced and less debt service is required, and no
742 appropriation may be reduced below any amount required by law to
743 be appropriated or by more than the amount of the unencumbered
744 balance thereof. The supplemental and emergency appropriations
745 and reduction or transfer of appropriations authorized by this
746 section may be made effective immediately upon adoption.

747 (8) ADMINISTRATION AND FIDUCIARY OVERSIGHT OF THE
748 BUDGET.--The town council shall provide by ordinance the
749 procedures for administration and fiduciary oversight of the
750 budget.

751 (9) CAPITAL PROGRAM.--The council shall follow state law
752 in the submission and adoption of a capital program.

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753 (10) INDEPENDENT AUDIT.--

754 (a) The town council shall provide for an independent
755 annual audit of all town accounts and may provide for more
756 frequent audits as the council deems necessary. An independent
757 certified public accountant or firm of such accountants shall
758 make such audits. Such audits should be performed in accordance
759 with Generally Accepted Auditing Standards (GAAS) and Generally
760 Accepted Governmental Auditing Standards (GAGAS).

761 (b) The council shall, using competitive bidding,
762 designate such accountant or firm annually or for a period not
763 exceeding 5 years, but the designation for any particular fiscal
764 year shall be made no later than 30 days after the beginning of
765 such fiscal year. The standard for independence is that the
766 auditor must be capable of exercising objective and impartial
767 judgment on all issues encompassed within the audit engagement.
768 No accountant or firm may provide any other services to the town
769 during the time it is retained to provide independent audits to
770 the town. The town council may waive this requirement by a
771 majority vote at a public hearing. If the state makes such an
772 audit, the council may accept it as satisfying the requirements
773 of this section.

774 Section 7. Elections.--

775 (1) TOWN ELECTIONS.--

776 (a) Regular elections.--The regular town election shall be
777 held the first Tuesday in November in coordination with state
778 and federal elections, in even-numbered years, every 2 years.

779 (b) Conduct of elections.--All elections of the town and
780 related election activities shall be implemented in accordance

781 with the provisions of state law as set forth in the Florida
782 Election Code. Any conflict between the mandatory provisions of
783 state law and any provision of this charter or an ordinance of
784 the town shall be resolved in favor of the provision of state
785 law.

786 1. To the extent not preempted by state law, the town
787 council may enact ordinances or resolutions, as appropriate,
788 providing for the procedures relating to town elections such as
789 election precincts, polling places, inspectors, clerks,
790 providing notices of the election by publication and other
791 means, the canvassing of returns, the certification of election
792 results, ballots, nominating petitions, and the examination of
793 nominating petitions.

794 2. Whenever practicable and in the best interests of the
795 town, the town council may enter into intergovernmental
796 agreements with the Osceola County Supervisor of Elections to
797 implement the election processes of the town.

798 (2) METHOD OF ELECTING TOWN COUNCIL.--All candidates for
799 town council shall run at large. The names of the candidates
800 shall be shown and listed on the election ballot in alphabetical
801 order of their surnames. The candidates receiving the highest
802 number of votes shall be declared the winners upon certification
803 of the vote. In the event of a tie vote among two or more
804 candidates for town council, such office shall be filled by lot
805 drawn from among the candidates receiving the same number of
806 votes. Such determination by lot shall be made under the
807 direction of the existing town council prior to the election, no
808 later than 7 days after the election. The candidates shall be

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809 notified of the time and place of the drawing of lots and have
810 the right to be present.

811 (3) INITIAL ELECTION; TERMS OF OFFICE.--The initial
812 election will be held November 6, 2007, at which time the mayor
813 will be elected for a 1-year term of office. The two candidates
814 for council member receiving the greatest number of votes will
815 be elected to 3-year terms of office. The next two candidates
816 receiving the greatest number of votes will be elected to 1-year
817 terms of office.

818 (4) TAKING OFFICE.--The initial town council shall take
819 office on November 13, 2007, following certification of the
820 election results. Subsequently, newly elected officials shall
821 take office at the next regular council meeting following
822 certification of the election results.

823 (5) INITIATIVE, REFERENDUM, AND RECALL.--

824 (a) Initiative.--The qualified voters of the town shall
825 have the power to propose ordinances to the council and, if the
826 council fails to adopt an ordinance so proposed without any
827 change in substance, to adopt or reject it at a town election,
828 provided that such power shall not extend to the budget or
829 capital program or any emergency ordinance or ordinance relating
830 to appropriation of money, levy of taxes, or salaries of city
831 officers or employees.

832 (b) Referendum.--The qualified voters of the town shall
833 have the power to require reconsideration by the council of any
834 adopted ordinance and, if the council fails to repeal an
835 ordinance so reconsidered, to approve or reject it at a town
836 election, provided that such power shall not extend to the

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837 budget or capital program or any emergency ordinance or
838 ordinance relating to appropriation of money, levy of taxes, or
839 salaries of city officers or employees.

840 (c) Recall.--The electors of the town shall have the power
841 to remove from office any elected official of the town in
842 accordance with state law.

843 (6) INITIATIVE AND REFERENDUM PROCEDURES.--

844 (a) Commencement of proceeding; petitioners' committee;
845 affidavit.--Any five registered voters may commence initiative
846 and referendum proceedings by filing with the town clerk an
847 affidavit stating they will constitute the petitioners'
848 committee; they will be responsible for circulating the petition
849 and filing it in proper form, stating their names and addresses
850 and specifying a chairperson, and the address to which all
851 notices to the committee are to be sent; and set out in full the
852 proposed initiative ordinance or citing the ordinance sought to
853 be reconsidered. Promptly after the affidavit of the
854 petitioners' committee is filed, the clerk may, at the
855 committee's request, issue the appropriate petition blanks to
856 the petitioners' committee at the committee's expense.

857 (b) Petitions.--

858 1. Number of signatures.--Initiative or referendum
859 petitions must be signed by at least 20 percent of the total
860 number of qualified registered voters within the town.

861 2. Form and content.--All papers of a petition shall be
862 uniform in size and style and shall be assembled as one
863 instrument for filing. Each signature shall be executed in ink
864 or indelible pencil and shall be followed by the address of the

865 person signing, the date, and his or her voting precinct.
866 Petitions shall contain or have attached thereto throughout
867 their circulation the full text of the ordinance proposed or
868 sought to be reconsidered.

869 3. Affidavit of circulator.--Each paper of a petition
870 shall have attached to it when filed an affidavit executed by
871 the circulator thereof stating that he or she personally
872 circulated the paper, the number of signatures thereon, that all
873 the signatures were affixed in his or her presence, that he or
874 she believes them to be the genuine signatures of the persons
875 whose names they purport to be, and that each signer had an
876 opportunity before signing to read the full text of the
877 ordinance proposed or sought to be reconsidered.

878 4. Time for filing referendum petitions.--Referendum
879 petitions must be filed within 30 days after adoption by the
880 council of the ordinance sought to be reconsidered.

881 (c) Procedure after filing.--

882 1. Certificate of clerk; amendment.--Within 20 days after
883 the initiative petition is filed, the town clerk shall complete
884 a certificate as to its sufficiency, specifying, if it is
885 insufficient, the particulars wherein it is defective and shall
886 promptly send a copy of the certificate to the petitioners'
887 committee by registered mail. A petition certified insufficient
888 for lack of the required number of valid signatures may be
889 amended once if the petitioners' committee files a notice of
890 intention to amend it with the clerk within 2 days after
891 receiving the copy of the certificate and files a supplementary
892 petition with additional papers within 10 days after receiving

893 the copy of such certificate. Such supplementary petition shall
 894 comply with the requirements of paragraphs (b)2. and (b)3 of
 895 this subsection. Within 5 days after it is filed, the clerk
 896 shall complete a certificate as to the sufficiency of the
 897 petition as amended and promptly send a copy of such certificate
 898 to the petitioners' committee by registered mail as in the case
 899 of an original petition. If a petition or amended petition is
 900 certified sufficient, or if a petition or amended petition is
 901 certified insufficient and the petitioners' committee does not
 902 elect to amend or request council review under subsection (2)
 903 within the time required, the clerk shall promptly present the
 904 certificate to the council, and the certificate shall then be a
 905 final determination as to the sufficiency of the petition.

906 2. Council review.--If a petition has been certified
 907 insufficient and the petitioners' committee does not file notice
 908 of intention to amend it or if an amended petition has been
 909 certified insufficient, the committee may, within 2 days after
 910 receiving the copy of such certificate, file a request that it
 911 be reviewed by the council. The council shall review the
 912 certificate at its next meeting following the filing of such
 913 request and approve or disapprove it, and the council's
 914 determination shall then be a final determination as to the
 915 sufficiency of the petition.

916 (d) Referendum petitions; suspension of effect of
 917 ordinance.--When a referendum petition is filed with the town
 918 clerk, the ordinance sought to be reconsidered shall be
 919 suspended from taking effect. Such suspension shall terminate
 920 when:

921 1. There is a final determination of insufficiency of the
 922 petition;

923 2. The petitioners' committee withdraws the petition;

924 3. The council repeals the ordinance; or

925 4. After a vote of the town on the ordinance has been
 926 certified.

927 (e) Action on petitions.--

928 1. Action by council.--When an initiative or referendum
 929 petition has been finally determined sufficient, the council
 930 shall promptly consider the proposed initiative ordinance in the
 931 manner provided by state law or reconsider the referred
 932 ordinance by voting its repeal. If the council fails to adopt a
 933 proposed initiative ordinance without any change in substance
 934 within 60 days or fails to repeal the referred ordinance within
 935 30 days after the date the petition was finally determined
 936 sufficient, it shall submit the proposed or referred ordinance
 937 to the voters of the town.

938 2. Submission to voters of proposed or referred
 939 ordinances.--The vote of the town on a proposed or referred
 940 ordinance shall be held not fewer than 30 days and not later
 941 than 1 year from the date of the final council vote thereon. If
 942 no regular town election is to be held within that period, the
 943 council shall provide for a special election; otherwise, the
 944 vote shall be held at the same time as such regular election,
 945 except that the council may, at its discretion, provide for a
 946 special election at an earlier date within the prescribed
 947 period. Copies of the proposed or referred ordinance shall be
 948 made available at the polls.

949 3. Withdrawal of petitions.--An initiative or referendum
950 petition may be withdrawn at any time prior to the 15th day
951 preceding the day scheduled for a vote of the town by filing
952 with the town clerk a request for withdrawal signed by at least
953 two-thirds of the petitioners' committee. Upon the filing of
954 such request, the petition shall have no further force or
955 effect, and all proceedings thereon shall be terminated.

956 (f) Results of election.--

957 1. Initiative.--If a majority of the qualified electors
958 voting on a proposed initiative ordinance vote in its favor, it
959 shall be considered adopted upon certification of the election
960 results and shall be treated in all respects in the same manner
961 as ordinances of the same kind adopted by the council. If
962 conflicting ordinances are approved at the same election, the
963 one receiving the greatest number of affirmative votes shall
964 prevail to the extent of such conflict.

965 2. Referendum.--If a majority of the qualified electors
966 voting on a referred ordinance vote against it, it shall be
967 considered repealed upon certification of the election results.

968 Section 8. Charter review and amendment.--

969 (1) CHARTER REVIEW.--The charter shall be reviewed no
970 later than 3 years from the date the town was established. After
971 the initial review, the charter shall be reviewed no later than
972 every 8 years. The town council shall appoint a citizen advisory
973 committee to review the charter. This committee shall be
974 appointed at least 9 months before the next scheduled election.

975 (2) CHARTER AMENDMENT.--This charter may be amended in
976 accordance with state law.

977 Section 9. Transition.--

978 (1) CREATION AND ESTABLISHMENT OF THE TOWN.--For the
 979 purpose of compliance with general law relating to the
 980 assessment and collection of ad valorem taxes, the Town of
 981 Celebration is hereby created and established effective when
 982 approved by the electors at the September 5, 2007, special
 983 election and filed with the Secretary of State in the manner
 984 prescribed by law.

985 (2) INITIAL ELECTION OF COUNCIL MEMBERS.--The Osceola
 986 County Commission shall call a special election for the election
 987 of the four council members and the mayor to be held on November
 988 6, 2007. The mayor will be elected for a 1-year term of office.
 989 The two candidates for council members receiving the greatest
 990 number of votes will be elected to 3-year terms of office. The
 991 next two candidates receiving the greatest number of votes will
 992 be elected to 1-year terms of office.

993 (3) INITIAL EXPENSES.--The town council, in order to
 994 provide moneys for the expenses and support of the town, shall
 995 have the power to borrow money necessary for the operation of
 996 town government until such time as a budget is adopted and
 997 revenues are raised in accordance with the provisions of this
 998 charter.

999 (4) TRANSITIONAL ORDINANCES AND RESOLUTIONS.--Until
 1000 otherwise modified or replaced by this charter or the council,
 1001 all codes, ordinances, and resolutions of Osceola County in
 1002 effect on the day of adoption of this charter shall, to the
 1003 extent applicable to the town, remain in force and effect as
 1004 municipal codes, ordinances, and resolutions of the town. Until

1005 otherwise determined by the council, said codes, ordinances, and
 1006 resolutions shall be applied, interpreted, and implemented by
 1007 the town in a manner consistent with established policies of
 1008 Osceola County on the date of adoption of this charter.

1009 (5) TEMPORARY ORDINANCES AND RESOLUTIONS.--The town
 1010 council shall adopt ordinances and resolutions required to
 1011 effect the transition. Ordinances adopted within 60 days after
 1012 the first regular council meeting may be passed as emergency
 1013 ordinances. These transitional ordinances shall be effective for
 1014 no longer than 90 days after adoption and thereafter may be
 1015 readopted, renewed, or otherwise continued only in the manner
 1016 normally prescribed for ordinances.

1017 (6) TRANSITIONAL COMPREHENSIVE PLAN AND LAND DEVELOPMENT
 1018 REGULATIONS.--

1019 (a) Until such time as the town adopts a comprehensive
 1020 plan, the applicable provisions of the Osceola County Future
 1021 Land Use Map, the Osceola County Zoning Map, and all other
 1022 applicable provisions of the Comprehensive Plan and Land
 1023 Development Regulations of Osceola County applicable to the
 1024 town, as in existence on the date of incorporation, shall remain
 1025 in effect as the town's transitional comprehensive plan and land
 1026 development regulations. However, all planning functions,
 1027 duties, and authority shall thereafter be vested in the Town
 1028 Council of Celebration, which shall be deemed the local planning
 1029 agency until the council establishes a separate local planning
 1030 agency.

1031 (b) All powers and duties of the Osceola County Planning
 1032 Commission, Osceola County Zoning Authority, any board of

1033 adjustment, and the County Commission of Osceola County, as set
 1034 forth in these transitional zoning and land use regulations,
 1035 shall be vested in the Town Council of Celebration until such
 1036 time as the town delegates all or a portion thereof to another
 1037 entity.

1038 (c) Subsequent to the passage of this act, no amendment of
 1039 the comprehensive plan or land development regulations enacted
 1040 by the Osceola County Commission shall be deemed an amendment of
 1041 the town's transitional comprehensive plan or land development
 1042 regulations or otherwise take effect within the town's corporate
 1043 limits unless approved by the town council.

1044 (7) REVENUE SOURCE TRANSITION.--Until otherwise modified
 1045 by the council, all municipal taxes and fees, including
 1046 communications services taxes, imposed within the town
 1047 boundaries by the county as the municipal government for
 1048 unincorporated Osceola County, which taxes and fees are in
 1049 effect on the date of adoption of this charter, shall continue
 1050 at the same rate and under the same conditions as if those taxes
 1051 and fees had been adopted and assessed by the town.

1052 (8) CONTINUITY OF SERVICES.--To ensure that there is no
 1053 discontinuity in the provision, level, or quality of municipal
 1054 service delivery to the proposed town, and until such time as
 1055 the town may enter into interlocal agreements with Osceola
 1056 County regarding provision of municipal services, all municipal
 1057 services currently provided by Osceola County shall continue at
 1058 the service levels existing at the time of municipal
 1059 incorporation. All federal, state, grant, and other funding
 1060 sources existing prior to the time the town is incorporated

1061 shall continue to be applied in the manner and at the level
 1062 anticipated and projected by the Osceola County budget prior to
 1063 the incorporation of the town. The future cost and level of
 1064 municipal services delivery provided to the town by Osceola
 1065 County beyond fiscal year 2007-2008 shall be negotiated and
 1066 determined through an interlocal agreement between the town and
 1067 appropriate representatives of Osceola County.

1068 (9) STATE-SHARED REVENUES.--The town shall be entitled to
 1069 participate in all shared revenue programs of the state,
 1070 effective immediately on September 5, 2007, the date of
 1071 incorporation. The provisions of section 218.23, Florida
 1072 Statutes, shall be waived for the purpose of eligibility to
 1073 receive revenue-sharing funds from the date of incorporation
 1074 through the end of state fiscal year 2009-2010. The provisions
 1075 of section 218.26(3), Florida Statutes, shall be waived through
 1076 state fiscal year 2009-2010, and the apportionment factors for
 1077 the municipalities and counties shall be recalculated pursuant
 1078 to section 218.245, Florida Statutes. The initial population
 1079 estimates for calculating eligibility for shared revenues shall
 1080 be determined by the University of Florida Bureau of Economic
 1081 and Business Research as of the effective date of this charter.
 1082 Should the bureau be unable to provide an appropriate population
 1083 estimate, the initial population at the level of 6,606 as
 1084 projected in the incorporation feasibility study shall be used.
 1085 For the purpose of qualifying for revenue sharing, the following
 1086 revenue sources shall be considered: municipal service taxing
 1087 units, community development districts, water control district
 1088 revenues, occupational license taxes, ad valorem taxes, public

1089 utility services taxes, communications services tax, and
 1090 franchise fees.

1091 (10) GAS TAX REVENUES.--Notwithstanding the requirements
 1092 of section 336.025, Florida Statutes, to the contrary, the town
 1093 shall be entitled to receive local option gas tax revenues
 1094 beginning October 1, 2007, in accordance with the interlocal
 1095 agreements with Osceola County.

1096 (11) SHARED REVENUES.--Osceola County shall distribute to
 1097 the town public service tax, communication service tax, local
 1098 business tax, multiple service taxing units, franchise fees, ad
 1099 valorem taxes, and any other applicable revenues collected
 1100 within the municipal boundaries of the town. This calculation
 1101 shall be based upon the population projection of 6,606 residents
 1102 for the town as estimated for the feasibility study in
 1103 anticipation of the year 2010 census.

1104 (12) SEVERABILITY.--If any section or part of a section of
 1105 this charter shall be held invalid by a court of competent
 1106 jurisdiction, such holding shall not affect the remainder of
 1107 this charter nor the context in which such section or partial
 1108 section so held invalid may appear, except to the extent that an
 1109 entire section or a partial section may be inseparably connected
 1110 in meaning and effect with the section or partial section to
 1111 which such holding shall directly apply.

1112 Section 10. This act shall only take effect upon approval
 1113 by a majority vote of those qualified electors of the area
 1114 described in section 2(5) voting in a referendum to be called by
 1115 the Osceola County Commission to be held on September 5, 2007,
 1116 in accordance with the provisions of law relating to elections

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1117 | currently in force, except that this section shall take effect
1118 | upon becoming a law.