

HB 865

2011

1                   A bill to be entitled  
2           An act relating to the Town of Southwest Ranches, Broward  
3           County; amending chapter 2000-475, Laws of Florida;  
4           amending the town's charter to remove inapplicable  
5           provisions and to make ministerial changes; providing  
6           further description of the town's rural residential  
7           character; eliminating previously repealed language;  
8           providing additional language relating to filling council  
9           vacancies; clarifying that only the town council is  
10          required to vote by roll call; clarifying that a roll call  
11          vote is required by the town council on all land use and  
12          quasi-judicial items; providing an effective date.

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14   Be It Enacted by the Legislature of the State of Florida:

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16          Section 1. Section 1.01 of Article I, section 2.04 of  
17          Article II, subsection (b) of section 4.01 of Article IV, and  
18          section 5.01 of Article V of section 1 of chapter 2000-475, Laws  
19          of Florida, are amended, and paragraph (7) is added to  
20          subsection (c) of section 2.06 of Article II of that section, to  
21          read:

22          Section 1.01. Corporate existence.—In order to preserve,  
23          to protect, and to enhance the quality of life and the rural  
24          residential character of ~~the~~ Southwest Ranches, a municipal  
25          corporation known as ~~the~~ Town of Southwest Ranches (the "Town")  
26          is hereby created pursuant to the Constitution of the State of  
27          Florida (the "State"). The corporate existence of the Town shall

HB 865

2011

28 commence upon the adoption of this Charter by the electorate  
29 pursuant to section 9.01 of this charter.

30 Section 2.04. Election and term of office.—

31 (a) MAYOR. ~~Except as provided in Section 9.03(e),~~ The  
32 Mayor shall be elected at large for a 4-year term by the  
33 electors of the Town in the manner provided in Article VI. The  
34 Mayor shall remain in office until his or her successor is  
35 elected and assumes the duties of the position.

36 (b) TOWN COUNCIL. ~~Except as provided in Section 9.03(e),~~  
37 Each Council member other than the Mayor shall be elected at  
38 large for a 4-year term by the electors of the Town in the  
39 manner provided in Article VI. Subsequent to the decennial  
40 census ~~of 2000~~, but at least 6 months before the qualifying  
41 period for the subsequent municipal election ~~of 2002~~, the  
42 Council shall divide the Town into four residential districts  
43 which shall be as nearly equal in population as practicable. The  
44 Council shall designate each of the districts one of the numbers  
45 1 through 4. Each seat number shall correspond with a  
46 residential district number. Beginning with the municipal  
47 election of 2002, and for each election thereafter, the four  
48 members of the Council other than the Mayor must also be  
49 ~~electors of the Town and~~ residents of the particular residential  
50 district on the date on which they qualify for election. Council  
51 members in office who are removed from their district as a  
52 result of the redistricting subsequent to the decennial census  
53 of 2000, or after a subsequent decennial census, may serve out  
54 the balance of their terms. Each Council member shall remain in

55 office until his or her successor is elected and assumes the  
 56 duties of the position.

57 Section 2.06. Vacancies; forfeiture of office; filling of  
 58 vacancies.—

59 (c) FILLING OF VACANCIES.—A vacancy on the Council shall  
 60 be filled as follows:

61 (7) In the event that the Council is required to fill the  
 62 vacancy, within 7 days after the vacancy, the Town shall publish  
 63 notice to seek interested qualified candidates to fill the  
 64 vacancy, which candidates must respond to the notice within 15  
 65 days after publication. The Council shall select a candidate to  
 66 fill the vacancy from the interested qualified candidate list  
 67 within 15 days after receiving all timely responses.

68 Section 4.01. Council meeting procedure.—

69 (b) QUORUM AND VOTING.—Except as otherwise provided in  
 70 this Charter, any three members of the Council shall constitute  
 71 a quorum. The affirmative vote of three members of the Council  
 72 shall be required for any legislative action with the exception  
 73 of quasi-judicial items relating to land use and zoning, which  
 74 shall be governed by Section 5.01. All votes taken by the  
 75 Council ~~voting~~ shall be by roll call.

76 Section 5.01. Quasi-judicial meeting procedures.—All land  
 77 use and quasi-judicial items ~~relating to land use and zoning~~  
 78 require four affirmative votes of the Council. Any four members  
 79 of the Council shall constitute a quorum for land use and quasi-  
 80 judicial items. All voting by the Council on land use and quasi-  
 81 judicial items shall be by roll call.

82 Section 2. This act shall take effect upon becoming a law.