



26 | for the first election and the town transition  
 27 | schedule; providing first-year expenses; providing  
 28 | transitional ordinances and resolutions; providing a  
 29 | transitional comprehensive plan and transitional land  
 30 | development regulations; providing entitlement to  
 31 | state-shared revenues; providing entitlement to all  
 32 | local revenue sources allowed by general law;  
 33 | providing the sharing of communications services tax  
 34 | revenues; providing receipt and distribution of local  
 35 | option gas tax revenues; providing waiver of specified  
 36 | eligibility provisions; requiring a referendum;  
 37 | providing effective dates.

38 |  
 39 | Be It Enacted by the Legislature of the State of Florida:

40 |  
 41 | Section 1. Corporate name; purpose of charter; creation  
 42 | and establishment of the Town of Siesta Key.-

43 | (1) CORPORATE NAME.-The municipality hereby established  
 44 | shall be known as the Town of Siesta Key ("town").

45 | (2) PURPOSE OF THE CHARTER.-This act, together with any  
 46 | future amendments thereto, may be known as the Charter of the  
 47 | Town of Siesta Key ("charter").

48 | (a) It is in the best interests of the public health,  
 49 | safety, and welfare of the residents of the unincorporated  
 50 | Siesta Key area to form a separate municipality for the

51 unincorporated Siesta Key area with all the powers and authority  
52 necessary to provide adequate and efficient municipal services  
53 to its residents.

54 (b) It is intended that this charter and the incorporation  
55 of the unincorporated Siesta Key area will serve to preserve and  
56 protect the character, natural resources, and quality of life of  
57 the community.

58 (c) It is the intent of this charter and the incorporation  
59 of the unincorporated Siesta Key area to secure the benefits of  
60 self-determination and affirm the values of representative  
61 democracy, citizen participation, strong community leadership,  
62 professional management, and regional cooperation.

63 (d) It is the intent of this charter and the incorporation  
64 of the unincorporated Siesta Key area to maintain a financially  
65 secure and sustainable municipal government and to responsibly  
66 manage the municipality's debt obligations without causing the  
67 state to incur any liability.

68 (3) CREATION AND ESTABLISHMENT OF THE TOWN OF SIESTA KEY.—

69 (a) This act shall take effect upon approval by a majority  
70 vote of those qualified electors residing within the corporate  
71 limits of the proposed town as described in section 3 voting in  
72 a referendum election to be called by the Board of County  
73 Commissioners of Sarasota County in conjunction with the  
74 Supervisor of Elections of Sarasota County to be held November  
75 5, 2024, in accordance with the provisions of law relating to

76 | elections currently in force.

77 |       (b) For the purpose of compliance with s. 200.066, Florida  
 78 | Statutes, relating to assessment and collection of ad valorem  
 79 | taxes, the Town of Siesta Key is created and established  
 80 | effective upon approval by a majority vote of those qualified  
 81 | electors residing within the corporate limits as described in  
 82 | section 3.

83 |       Section 2. Powers of town; form of government.-

84 |       (1) POWERS OF THE TOWN.-The town shall have all available  
 85 | governmental, corporate, and proprietary powers of a  
 86 | municipality under the State Constitution and laws of this state  
 87 | as fully and completely as though such powers were specifically  
 88 | enumerated in this charter, and may exercise them, except where  
 89 | prohibited by law. Through the adoption of this charter, it is  
 90 | the intent of the electors of the town that the municipal  
 91 | government established in this section shall have the broadest  
 92 | exercise of home rule powers permitted under the State  
 93 | Constitution and laws of the state.

94 |       (2) CONSTRUCTION.-The powers of the town under this  
 95 | charter shall be construed liberally in favor of the town, and  
 96 | the specific mention of particular powers in the charter shall  
 97 | not be construed as limiting the general powers granted in this  
 98 | charter in any way.

99 |       (3) FORM OF GOVERNMENT.-The town shall be a commission-  
 100 | manager form of government.

101           Section 3. Corporate boundaries.—The territorial  
 102 boundaries of the Town of Siesta Key upon the date of  
 103 incorporation shall be as follows:

104  
 105           The subject territory for the incorporation of Siesta  
 106 Key, Sarasota County Florida bounded on the North by  
 107 the South line of the City of Sarasota and bounded on  
 108 the South by following legal description:

109  
 110           Begin at the U.S. government Meander corner on the  
 111 east shore of Casey key (now Siesta Key) between  
 112 Section 33, Township 37 South, Range 18 East and  
 113 Section 4, Township 38 South, Range 18 east, as  
 114 restored in accordance with U. S. government Field  
 115 Notes of the original survey of 1909 and represented  
 116 by a 4" X4" concrete monument, thence using the  
 117 Township line as an East bearing, run east along the  
 118 Township line 103.58 feet, to the center line of an  
 119 existing travelway, thence N30' 46'00" West along said  
 120 center line of said travelway, 133.79 feet; thence S  
 121 62'00'00" West, 211.89 feet to the ordinance line  
 122 agreed upon per Ordinance No. 83-78, dated October 5,  
 123 1983 Sarasota County, Florida: thence S32'38'08' East,  
 124 85.28 feet; thence N 62'00'00" East, 120.00 feet to  
 125 the meander corner.

126  
 127 It includes all waters of the State surrounding Siesta  
 128 Key except for the portion located in the City of  
 129 Sarasota or adjacent to Sarasota County Beach parks,  
 130 for one half mile offshore into the Gulf of Mexico  
 131 from the mean high water line of the island; and for  
 132 other waters, 150 feet offshore from the mean high  
 133 water line.

134  
 135 Section 4. Fiscal year.—The fiscal year of the town shall  
 136 begin on the first day of October and end on the last day of  
 137 September of the following calendar year.

138 Section 5. Elected officials.—

139 (1) GENERAL.—The Town of Siesta Key shall have a town  
 140 commission ("commission") consisting of five commission members,  
 141 who shall be elected in the manner provided in this charter. The  
 142 commission shall constitute the governing body of the town.

143 (2) ELECTION; TERMS.—

144 (a) The commission members shall be elected by the  
 145 qualified electors of the town at large for 4-year terms,  
 146 staggered as set out in this section, until a successor takes  
 147 office. Commencing with the initial election, the three  
 148 commissioner candidates receiving the highest number of votes  
 149 shall be elected for 4-year terms and the two commissioner  
 150 candidates receiving the next-highest number of votes shall be

151 elected for 2-year terms. Thereafter, the elections shall be for  
 152 full 4-year terms, conducted in conjunction with the state's  
 153 general election. If necessary for coordination with the state  
 154 and local elections requirements, the terms may be extended or  
 155 shortened, but in no event by more than 1 year.

156 (b) No commission member may be elected for or serve more  
 157 than two terms or portions of terms consecutively, except that  
 158 the commission members elected for 2-year terms at the initial  
 159 election may be elected for and serve two terms plus one  
 160 additional term consecutively.

161 (3) CONDUCT OF ELECTIONS.—The Sarasota County Supervisor  
 162 of Elections will conduct elections in accordance with state  
 163 qualification and election laws and this charter.

164 (4) POWERS AND DUTIES OF COMMISSION.—All powers of the  
 165 town shall be vested in the commission, except as otherwise  
 166 provided by the State Constitution, general or local laws, or  
 167 this charter. The commission shall comply with and provide for  
 168 the exercise of power and for the performance of all duties and  
 169 obligations imposed on the town by law and by this charter.  
 170 Without limitation, the commission has full powers to conduct  
 171 the town business; to adopt ordinances, resolutions,  
 172 administrative codes, regulations, and motions; to appoint a  
 173 chief administrative officer to be known as the town manager; to  
 174 provide oversight into and be responsible for the town budgeting  
 175 process; to adopt a comprehensive plan and land development

176 regulations; and to exercise all other powers provided to, and  
177 perform all duties required of, a governing body by the State  
178 Constitution, general or local laws, or this charter.

179 (5) INVESTIGATIONS.—The commission has the power to  
180 investigate and penalize with civil sanctions misconduct of  
181 commission members, appointed citizens, officials, employees,  
182 and those persons or firms providing contract work for the town.  
183 The commission may engage the services of independent  
184 investigators to provide information and recommendations and may  
185 engage the services of an independent special magistrate to hear  
186 cases and make recommendations. The commission has the power to  
187 enforce the gathering of documentary evidence and to compel  
188 witness testimony through the subpoena power.

189 (6) MAYOR; VICE MAYOR.—At the first regularly scheduled  
190 meeting after the town's first election and each regular  
191 election thereafter and after receiving the certified results of  
192 the election, the commission, by a majority vote, shall select  
193 from its membership a mayor. Upon selection of the mayor, the  
194 newly selected mayor shall preside over the selection of a vice  
195 mayor. The vice mayor shall be selected in the same manner as  
196 the mayor. The mayor and vice mayor shall serve in such  
197 capacities for 1 year or until the first regular commission  
198 meeting occurring after 1 year after the date of the previous  
199 selection. The mayor shall preside at meetings of the  
200 commission, shall be recognized as the head of town government



201 for all ceremonial purposes, and shall be recognized by the  
202 Governor for military law and for service of process but shall  
203 have no administrative duties. The vice mayor shall act as mayor  
204 during the absence or disability of the mayor. If the office of  
205 mayor becomes vacant upon death, incapacitation due to long-term  
206 illness, resignation, removal from office in any manner  
207 authorized by law, or forfeiture of office, the vice mayor shall  
208 serve as acting mayor until the next regular commission meeting,  
209 at which time the commission shall elect a mayor and, if the  
210 vice mayor is elected mayor, a vice mayor.

211 (7) COMPENSATION.— An ordinance is required to set or  
212 modify compensation of the commission members. The initial  
213 commission shall not be compensated and will take the matter up  
214 in due course at a regularly scheduled meeting. If the  
215 commission at any point takes action to install or adjust  
216 compensation of its members, the salary shall not be adjusted  
217 until after the first day after the next regular municipal  
218 election. The commission shall be entitled to receive their  
219 actual and necessary expenses incurred in the performance of  
220 their official duties in accordance with general law.

221 (8) COMMISSION MEETINGS; CONDUCT OF BUSINESS; QUORUM.—

222 (a) The commission shall meet regularly at least once a  
223 month at such times and places as the commission may prescribe  
224 by ordinance. By majority vote, the commission may elect to  
225 forego regular meetings in July and August. Special meetings may

226 be held at the call of the mayor or, in the absence of the  
227 mayor, the vice mayor or by request of a majority of the  
228 commission members.

229 (b) The town clerk shall provide notice of all public  
230 meetings as required by law and this charter at least 24 hours  
231 before a meeting unless a declared emergency exists.

232 (c) The commission may adopt rules for the conduct of its  
233 business and meetings, consistent with general law.

234 (d) A quorum to conduct any business consists of a  
235 majority of the commission membership. Conduct of business means  
236 any business, not just action items. If a quorum does not exist,  
237 the mayor may recess the meeting until a quorum is obtained or  
238 may adjourn the meeting.

239 (9) MOTIONS AND VOTING.—All commission members, including  
240 the mayor and vice mayor, have an equal right to make motions  
241 and seconds; to have reasonable opportunity to discuss matters  
242 before voting; and to engage in civil discourse at meetings. As  
243 provided by general law, actions are taken by a majority vote of  
244 the quorum present unless a super majority is required.

245 (10) SUPER MAJORITY VOTE.—An affirmative vote of at least  
246 four of five commission members shall be required to approve any  
247 rezoning, special exception, variance, or vacation of any  
248 rights-of-way in the town.

249 (11) VACANCIES; FORFEITURE OF OFFICE; DISCIPLINE.—

250 (a) The office of a commission member shall become vacant

251 upon death, incapacitation due to long-term illness,  
252 resignation, removal from office in any manner authorized by  
253 law, or forfeiture of the commission member's office.

254 (b) A commission member shall forfeit office if the  
255 member:

256 1. Lacks at any time during the term of office any  
257 qualifications for the office prescribed by this charter or  
258 general law;

259 2. Violates any standard of conduct or code of ethics  
260 established by law for public officials or has been suspended  
261 for the same by the Governor without reinstatement;

262 3. Is convicted of a felony, or enters a plea of guilty or  
263 nolo contendere to a crime punishable as a felony, even if  
264 adjudication has been withheld;

265 4. Is convicted of a first-degree misdemeanor arising  
266 directly out of the commission member's conduct or duties  
267 relating to the office, or enters a plea of guilty or nolo  
268 contendere to a crime punishable as a first-degree misdemeanor,  
269 even if adjudication has been withheld; or

270 5. Is absent from three consecutive regular commission  
271 meetings without being excused by the commission.

272 (c) A commission member may be disciplined by unanimous  
273 vote of all other commission members for any reason set out in  
274 paragraph (b) and for any of the following:

275 1. Unruly behavior to the point of being disruptive to the

276 conduct of public meetings or town business. The penalty for  
277 unruly behavior may include removal from a meeting, public  
278 censure, or both.

279 2. Violation of the commissioner-manager form of  
280 government. Except for the purpose of inquiry and information,  
281 the commission and its membership are expressly prohibited from  
282 interfering with the performance of the duties of any town  
283 employee or contractor who is under the direct or indirect  
284 supervision of the town manager or town attorney. Such  
285 interference constitutes malfeasance in office within the  
286 meaning of general law. The penalty for violation of the  
287 commission-manager form of government may include public censure  
288 up to removal from office.

289 (12) FILLING OF VACANCIES.—A vacancy on the commission  
290 shall be filled in one of the following ways:

291 (a) If there are less than 6 months remaining in the  
292 unexpired term or if there are less than 6 months before the  
293 next regular town election, the commission, by a majority vote  
294 of the remaining members, shall choose a successor to serve  
295 until the newly elected commission member takes office. If 2 or  
296 more years remain in the term of the vacated seat at the time of  
297 the next regular town election, that seat shall be filled by  
298 election for the remaining 2 years.

299 (b) If there are 6 months or more remaining in the  
300 unexpired term and no regular town election is scheduled within

301 6 months, the commission shall fill the vacancy on an interim  
302 basis as provided in paragraph (a) and shall schedule a special  
303 election to be held not sooner than 120 days, nor more than 150  
304 days, following the occurrence of the vacancy.

305 (13) EXTRAORDINARY VACANCIES.—If at any time the  
306 membership of the commission is reduced to less than a quorum,  
307 the Governor shall appoint interim commission members to fill  
308 the vacancies. Unless otherwise provided by law or by the  
309 Governor's order, the town shall hold a special town election in  
310 conjunction with the next regular state primary or general  
311 election or, if there are 6 months or more until the next  
312 regular state primary or general election, the town shall hold a  
313 special town election. Candidates shall be elected for the  
314 remainder of the previously vacated terms with the candidates  
315 receiving the most votes elected to the longer remaining terms  
316 and the candidates receiving the next-highest number of votes  
317 elected to the shorter remaining terms.

318 (14) COMMISSION BOARDS, OTHER COMMISSIONS, AND  
319 COMMITTEES.—The commission may appoint citizens to its boards,  
320 other commissions, and committees. Unless provided in this  
321 charter or general law, the qualifications and terms will be as  
322 provided by the commission by ordinance, resolution, or motion.  
323 The commission may suspend or remove appointed persons for any  
324 cause for which a commission member may be removed or for any  
325 lawful reason as may be established by the commission, including

326 | the same prohibitions and penalties relating to interference  
 327 | with the commission-manager form of government that apply to the  
 328 | commission.

329 | Section 6. Town manager.—

330 | (1) APPOINTMENT AND QUALIFICATIONS OF THE TOWN MANAGER.—

331 | The commission shall appoint a town manager ("manager") by a  
 332 | majority vote of the commission. The manager shall be chosen  
 333 | based on education and experience in the accepted competencies  
 334 | and practices of local government management. The manager shall  
 335 | be the administrative head of the municipal government under the  
 336 | direction and supervision of the commission. The manager shall  
 337 | hold office at the pleasure of the commission. The manager may  
 338 | be an employee or an independent contractor and may be a firm if  
 339 | an individual is designated as manager.

340 | (2) COMPENSATION OF THE MANAGER.—The manager shall receive  
 341 | such compensation as the commission may fix.

342 | (3) ACTING TOWN MANAGER.—Unless there has been a  
 343 | designated acting town manager position, the manager, by letter  
 344 | filed with the town clerk, shall designate a town officer other  
 345 | than a commission member or an employee to exercise the powers  
 346 | and perform the duties of the manager during the manager's  
 347 | temporary absence or disability. In case of the manager's  
 348 | disability, the commission may make such designation. The  
 349 | commission may revoke such designation at any time and appoint  
 350 | another officer or employee to serve until the manager returns

351 or is removed.

352 (4) POWERS AND DUTIES.—The manager, as the chief executive  
 353 officer of the town, is responsible to the commission for the  
 354 management of all town affairs placed in the manager's charge by  
 355 and under this charter. The manager shall, as example and not by  
 356 way of limitation:

357 (a) See that the laws and ordinances are enforced.

358 (b) Appoint and remove all subordinate officers and  
 359 employees of the town.

360 (c) Exercise, control, and direct supervision over all  
 361 departments and divisions of the municipal government under this  
 362 charter, or which may hereafter be created by the commission,  
 363 except for the offices of town attorney, boards, other  
 364 commissions, and authorities.

365 (d) See that all terms and conditions imposed in favor of  
 366 the town and its inhabitants in any public contracts and utility  
 367 franchises are faithfully kept and performed and to call the  
 368 same to the attention of the town attorney whose duty it is to  
 369 take such legal steps as may be necessary to enforce the same.

370 (e) Attend all meetings of the commission with the right  
 371 to take part in discussions without having a vote.

372 (f) Recommend to the commission for adoption such measures  
 373 as the manager may deem necessary or expedient in the interest  
 374 of the town.

375 (g) Keep the commission fully advised as to the financial

376 condition and future needs of the town, prepare and submit the  
 377 annual budget and capital program to the commission, and  
 378 implement the final budget approved by the commission to achieve  
 379 the goals of the town.

380 (h) Submit to the commission and make available to the  
 381 public a complete report on the finances and administrative  
 382 activities of the town as of the end of each fiscal year.

383 (i) Make such other reports as the commission may require  
 384 concerning operations.

385 (j) Assist the commission in developing long-term goals  
 386 for the town and strategies to implement these goals.

387 (k) Promote comity among the commission, staff, and  
 388 residents in developing public policy and building a sense of  
 389 community.

390 (l) Perform such other duties as may be prescribed under  
 391 this act or as may be required of the manager by ordinance,  
 392 resolution, motion, or direction of the commission.

393 Section 7. Town clerk.—

394 (1) APPOINTMENT AND QUALIFICATIONS.—The manager shall  
 395 serve as town clerk or may retain a person to serve as town  
 396 clerk ("clerk"). The clerk and any deputy clerks shall be  
 397 appointed based on training or experience in local government  
 398 recordkeeping.

399 (2) DUTIES.—The clerk shall be the custodian of all town  
 400 records, give notice of commission meetings to its membership



401 and the public, keep minutes of meeting proceedings, serve as  
 402 the town's election official, and perform such other duties as  
 403 are assigned by this charter, the commission, or general law.

404 Section 8. Town attorney.—

405 (1) APPOINTMENT AND QUALIFICATIONS OF THE TOWN ATTORNEY.—

406 The commission shall appoint a town attorney by a majority vote.  
 407 The town attorney must be licensed to practice law in the state,  
 408 be a member in good standing of The Florida Bar, and be chosen  
 409 based on education and experience in the accepted competencies  
 410 and practices of local government law. The town attorney may be  
 411 an employee or contractor. If the town attorney is in a law  
 412 firm, a designated attorney shall serve as the town attorney.

413 (2) DUTIES.—The town attorney shall serve as chief legal  
 414 adviser to the commission, the town manager, the town clerk, and  
 415 all departments, offices, and agencies of the town; shall  
 416 represent the town in all legal proceedings; and shall perform  
 417 any other duties prescribed by state law, this charter, or local  
 418 ordinance. The commission may authorize the town attorney to  
 419 employ assistant town attorneys or engage outside counsel  
 420 whenever it is deemed necessary or expedient to employ such  
 421 additional counsel, and such attorneys are to be selected by the  
 422 town attorney, and their compensation shall be fixed and  
 423 determined by the commission.

424 Section 9. Actions required to be taken by ordinance.—

425 (1) The following actions must be taken by ordinance:

426        (a) Disposition of or changes of use to owned property of  
 427 the town.

428        (b) Amendment of town rights-of-way to beach, bay, and  
 429 water access.

430        (2) The following actions may be taken only by referendum:

431        (a) Vacation or sale of any rights-of-way that provide  
 432 direct or indirect beach, bay, or water access.

433        (b) Any action requiring a referendum under general law.

434        Section 10. Initiative, referendum, and recall.—The right  
 435 of the people to propose charter provisions or amendments and  
 436 ordinances by initiative, to subject same to referendum, and to  
 437 recall municipal elected officials through municipal recall are  
 438 provided in general law and are recognized and preserved in this  
 439 charter.

440        Section 11. Amendment to the charter.—This charter may be  
 441 amended according to provisions of general law.

442        Section 12. Charter review.—At least one time in each 10  
 443 years, the commission shall review, or cause to be reviewed, the  
 444 town charter. The review may be performed by the commission or  
 445 by an advisory board, other commission, or a committee appointed  
 446 by the commission. Following such review, the commission may  
 447 take such action as may be in the best interest of the town in  
 448 accordance with the provisions of this charter.

449        Section 13. If any provision of this charter or the  
 450 application thereof to any person or circumstance is held

451 invalid, the invalidity shall not affect other provisions or  
 452 applications of this charter which can be given effect without  
 453 the invalid provisions or application, and to this end the  
 454 provisions of this charter are declared severable.

455 Section 14. Referendum election; transition.-

456 (1) REFERENDUM ELECTION.-The referendum election called  
 457 for by this act shall be held on November 5, 2024, at which time  
 458 the following question shall be placed on the ballot:

459 Shall the Town of Siesta Key be created and its  
 460 charter adopted?

461 YES . . . .

462 NO . . . .

463  
 464 In the event this question is answered affirmatively by a  
 465 majority of voters voting in the referendum, the charter will  
 466 take effect as provided herein. The referendum election shall be  
 467 conducted by the Supervisor of Elections of Sarasota County in  
 468 accordance with the Florida Election Code, and the cost of such  
 469 election shall be funded by the Board of County Commissioners of  
 470 Sarasota County.

471 (2) INITIAL ELECTION OF COMMISSION.-

472 (a) After the adoption of this charter, the Board of  
 473 County Commissioners of Sarasota County shall call an election  
 474 to be held March 11, 2025, for the election of five commission  
 475 members. The election shall be conducted by the Supervisor of

476 Elections of Sarasota County in accordance with the Florida  
477 Election Code, and the cost of such election shall initially be  
478 funded by the Board of County Commissioners of Sarasota County,  
479 and the Town of Siesta Key will reimburse the county the cost of  
480 the election.

481 (b) An individual who wishes to run for one of five  
482 initial seats on the commission shall qualify with the  
483 Supervisor of Elections of Sarasota County in accordance with  
484 this charter and general law. The qualifying period for the  
485 initial election of the commission shall begin at noon on the  
486 second Monday in January and end at noon on the second Friday in  
487 January, unless otherwise provided by law. To qualify, a  
488 candidate for the commission must have resided in the town  
489 boundaries of the Town of Siesta Key for at least 1 year prior  
490 to the end of the qualifying period. Commission members must  
491 reside in the Town of Siesta Key to serve on the commission.

492 (c) For the initial elections, the county canvassing board  
493 shall certify the results of the elections in accordance with  
494 general law.

495 (d) Commencing with the initial election, the three  
496 commissioner candidates receiving the highest number of votes  
497 shall be elected for 4-year terms and the two commissioner  
498 candidates receiving the next-highest number of votes shall be  
499 elected for 2-year terms. Thereafter, all terms shall be for a  
500 period of 4 years.

501 (3) SCHEDULE.—

502 (a) First election of commission members.—At the time of  
503 its adoption, this charter shall be in effect to the extent  
504 necessary so that the first election of commission members may  
505 be conducted in accordance with this charter.

506 (b) Time of taking full effect.—This charter shall be in  
507 full effect for all purposes on and after the date of the first  
508 meeting of the newly elected commission provided in paragraph  
509 (c).

510 (c) First commission meeting.—On March 26, 2025, if the  
511 results of the election of the commission under this charter  
512 have been certified, the newly elected commission members shall  
513 meet at a location to be determined. In the event the results  
514 have not been certified by March 26, 2025, the newly elected  
515 commission members shall meet on the following Tuesday. The  
516 initial commission shall have the authority and power to enter  
517 into contracts, arrange for the hiring of legal counsel, begin  
518 recruiting applicants for town manager, provide for necessary  
519 town offices and facilities, and do such other things as it  
520 deems necessary and appropriate for the town.

521 (4) FIRST-YEAR EXPENSES.—The commission, in order to  
522 provide moneys for the expenses and support of the town, shall  
523 have the power to borrow money necessary for the initial  
524 operation of municipal government until such time as a budget is  
525 adopted and revenues are raised in accordance with this charter.

526 (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—

527 (a) All applicable county ordinances currently in place at  
 528 the time of passage of the referendum, unless specifically  
 529 referenced in this charter, shall remain in place until and  
 530 unless rescinded by action of the commission, except that a  
 531 county ordinance, rule, or regulation that is in conflict with  
 532 an ordinance, rule, or regulation of the town shall not be  
 533 effective to the extent of such conflict. Any existing Sarasota  
 534 County ordinances, rules, and regulations, as of April 1, 2025,  
 535 shall not be altered, changed, rescinded, or added to, nor shall  
 536 any variance be granted, if such action would affect the town  
 537 without the approval of the commission.

538 (b) The commission shall adopt ordinances and resolutions  
 539 required to effect the transition.

540 (6) TRANSITIONAL COMPREHENSIVE PLAN.—Until such time as  
 541 the town adopts a comprehensive plan, the Sarasota County  
 542 Comprehensive Plan, as it exists on the day that the town  
 543 commences corporate existence, shall remain in effect as the  
 544 town's transitional comprehensive plan. However, all planning  
 545 functions, duties, and authority shall thereafter be vested in  
 546 the commission, which shall be deemed the local planning agency  
 547 until the commission establishes a separate local planning  
 548 agency or arrangement.

549 (7) TRANSITIONAL LAND DEVELOPMENT REGULATIONS.—To  
 550 implement the transitional comprehensive land use plan when

551 adopted, the town shall, in accordance with the procedures  
552 required by the laws of the state, adopt ordinances providing  
553 for land use development regulations within the corporate  
554 limits. Until the town adopts ordinances, the following shall  
555 apply:

556 (a) The comprehensive land use plan and land use  
557 development regulations of Sarasota County, including the Siesta  
558 Key Overlay District, as the same exists on the date that the  
559 town commenced corporate existence, shall remain in effect as  
560 the town's transitional land use development regulations and  
561 comprehensive land use plan.

562 (b) All powers and duties of the Sarasota County Growth  
563 Management and Building Departments, the Sarasota County Special  
564 Magistrate, and the Board of County Commissioners of Sarasota  
565 County, as provided in these transitional land use development  
566 regulations, shall be vested in the commission until such time  
567 as the commission delegates all powers and duties, or a portion  
568 thereof, to another agency, department, or entity.

569 (c) Subsequent to the adoption of a local comprehensive  
570 land use plan and subject to general law, the commission is  
571 fully empowered to amend, supersede, enforce, or repeal the  
572 transitional land use development regulations, or any portion  
573 thereof, by ordinance.

574 (d) Subsequent to the commencement of the town's corporate  
575 existence, an amendment of the comprehensive land use plan or

576 land use development regulations enacted by the Board of County  
 577 Commissioners of Sarasota County shall not be deemed an  
 578 amendment of the town's transitional comprehensive land use plan  
 579 or land use development regulations or otherwise take effect  
 580 within the town's municipal boundaries.

581 (8) STATE-SHARED REVENUES.-The town shall be entitled to  
 582 participate in all revenue-sharing programs of the state  
 583 effective April 1, 2025. The provisions of s. 218.23(1), Florida  
 584 Statutes, shall be waived for the purpose of conducting audits  
 585 and financial reporting through the end of the town fiscal year  
 586 2025-2026. For purposes of complying with s. 218.23(1), Florida  
 587 Statutes, relating to ad valorem taxation, the millage levied by  
 588 special districts may be used for an indefinite period of time.  
 589 Initial revised population estimates for calculating eligibility  
 590 for shared revenues shall be determined by the University of  
 591 Florida Bureau of Economic and Business Research. Should the  
 592 bureau be unable to provide an appropriate population estimate,  
 593 the Sarasota Office of Housing and Community Development shall  
 594 provide the estimate.

595 (9) LOCAL REVENUE SOURCES.-The town shall be entitled to  
 596 receive all local revenue sources available pursuant to general  
 597 law, including, but not limited to, the local communications  
 598 services tax imposed under s. 202.19, Florida Statutes. Taxes  
 599 levied for debt service or ad valorem taxes levied by special  
 600 millages authorized by voters shall count to produce the revenue



601 equivalent to a millage rate of three mills on the dollar for  
602 revenue-sharing purposes. The local communications services tax  
603 rate imposed by Sarasota County will continue within the town  
604 boundaries during the period commencing with the date of  
605 incorporation. Revenues from the tax shall be shared by Sarasota  
606 County with the town in proportion to the projected town  
607 population estimate of the Sarasota County Planning and Zoning  
608 Division compared with the unincorporated population of Sarasota  
609 County before the incorporation of the town.

610 (10) LOCAL OPTION GAS TAX REVENUES.—Notwithstanding the  
611 requirements of s. 336.025, Florida Statutes, the town shall be  
612 entitled to receive local option gas tax revenue beginning on  
613 October 1, 2024. These revenues shall be distributed in  
614 accordance with general law or by any interlocal agreement  
615 negotiated with the Board of County Commissioners of Sarasota  
616 County.

617 (11) CONTRACTUAL SERVICES AND FACILITIES.—Contractual  
618 services for law enforcement, emergency management, public  
619 works, parks and recreation, planning and zoning, building  
620 inspection, development review, animal control, library  
621 services, town manager, town attorney, and solid waste  
622 collection may be supplied by a contract between the town and  
623 the Board of County Commissioners of Sarasota County, special  
624 districts, municipalities, or private enterprise until such time  
625 as the commission establishes such independent services.

626 However, existing solid waste contracts shall be honored as  
 627 required by s. 165.061(1)(f), Florida Statutes, and s. 10,  
 628 Article I of the State Constitution. Facilities for housing the  
 629 newly formed municipal operations may be rented or leased until  
 630 the town selects more permanent facilities.

631 (12) SARASOTA COUNTY MUNICIPAL SERVICE TAXING UNITS;  
 632 CONTINUATION.—Notwithstanding the incorporation of the Town of  
 633 Siesta Key, that portion of the Sarasota County Fire and Rescue  
 634 MSTU, Parks and Recreation Municipal Service Taxing Unit,  
 635 Stormwater Municipal Service Taxing Unit, and Roads Municipal  
 636 Service Taxing Unit, and special taxing districts created by the  
 637 Board of County Commissioners of Sarasota County that lie within  
 638 the boundaries of the Town of Siesta Key are authorized to  
 639 continue in existence until the town adopts an ordinance,  
 640 resolution, or interlocal agreement to the contrary.

641 (13) LAW ENFORCEMENT.—Law enforcement services shall be  
 642 provided by the Sarasota County Sheriff's Office until the town  
 643 adopts an ordinance or resolution or enters into an interlocal  
 644 agreement to the contrary.

645 (14) ELIMINATION OF TRANSITIONAL ELEMENTS FROM THIS  
 646 CHARTER.—Upon completion of the transitional phase provided in  
 647 this charter, the sections of the charter relating to transition  
 648 may be eliminated from this charter.

649 Section 15. Waiver.—The thresholds established by s.  
 650 165.061, Florida Statutes, for incorporation have been met with

651 the following exception: a waiver is granted to the provisions  
652 of s. 165.061(1)(d), Florida Statutes, relating to the  
653 requirement for a 2-mile minimum distance of any part of the  
654 area proposed for incorporation from the boundaries of an  
655 existing municipality within the county.

656 Section 16. This act shall take effect only upon its  
657 approval by a majority vote of those qualified electors residing  
658 within the corporate limits of the proposed Town of Siesta Key,  
659 as described in section 3, voting in a referendum conducted in  
660 accordance with the provisions of law relating to elections  
661 currently in force, except that this section and subsection (1)  
662 of section 14 shall take effect upon becoming a law.