

ORDINANCE NO. 829

AN ORDINANCE AUTHORIZING A REFERENDUM CONCERNING AN AMENDMENT OF SECTION 8, OF THE CHARTER LAWS OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA ADDRESSING THE RIGHT OF MAYOR TO VOTE; VETO POWER.

WHEREAS, the City Council of the City of DeFuniak Springs, Florida, desires to place before the electorate of the City of DeFuniak Springs, Florida, a referendum concerning the right of the Mayor to Vote; Veto Power.

WHEREAS, Section 8 of the City Charter of the City of DeFuniak Springs, Florida establishes that the Mayor shall vote only in cases of a tie vote on the City Council, provided the Mayor shall have no vote in matters pertaining to adoption of City Ordinances but shall retain his power to veto same;

WHEREAS the prevailing laws of the State of Florida establish that a Mayor who possesses the ability to vote in cases of a tie vote on the City Council is prohibited from communicating with members of a City Council outside of a duly noticed public meeting pursuant to Section 286.011 Florida Statutes, "the Sunshine Law"; and

WHEREAS, the City Council desires the ability to communicate regarding matters related to the City with the Mayor without the potential issues associated with the Sunshine Law.

WHEREAS, the public referendum will be held on April 9, 2013, and;

WHEREAS, the official results of the referendum will be binding on the City Council;

WHEREAS, the title of the referendum would be "Mayor's Right to Vote,"

NOW THEREFORE BE IT ORDAINED by the City Council of the City of DeFuniak Springs, Florida, that the following question shall be submitted to the electors of the City of DeFuniak Springs, Florida, by referendum at the next general election of April 9, 2013:

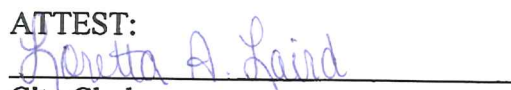
Title: A referendum for establishing "Mayor's Right to Vote" . Question: "Should the Mayor's right to vote in cases of a tie vote on the City Council be abolished?"

This Ordinance shall become effective upon adoption.

ADOPTED in regular session this 25th day of February, 2013.



Mayor

ATTEST:


City Clerk