

Sponsored by: Council
Introduction Date: June 27, 2006
City Council Public Hearing Date: August 22, 2006
September 5, 2006
Enactment Date September 5, 2006

**CITY OF MARATHON, FLORIDA
ORDINANCE 2006-021**

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA; PROVIDING FOR A BINDING REFERENDUM BALLOT MEASURE TO BE PRESENTED TO THE ELECTORS OF THE CITY CONCERNING THE LENGTH OF TERM OF OFFICE OF THE MEMBERS OF THE CITY COUNCIL, TO BE SUBMITTED TO THE ELECTORS IN CONJUNCTION WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 7, 2006; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized to call for a binding referendum vote by the electors of the City; and

WHEREAS, the City Council desires to submit to the electors of the City a referendum on a Charter amendment concerning the length of the term of office of members of the City Council, as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are hereby confirmed and adopted.

Section 2. That a binding referendum election is hereby called, to be held in conjunction with the general election, for Tuesday, the 7th Day of November, 2006, to present to the electors of the City of Marathon the proposed Charter amendment provided in Section 3 of this Ordinance.

Section 3. That the form of referendum ballot for the charter amendment provided for herein shall be substantially as follows:

Question:

Change in the Term of Office for City Council Members

The Charter of the City of Marathon currently provides that the term of office for City Council members shall be two years.

Shall the first sentence of Section 5(2) of the Charter of the City of Marathon be amended as follows:

“Effective with the City election in 2007, the term of office for council members shall be 3 years.”?

Yes []

No []

Section 4. That balloting shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. at the regular polling places for general elections. All qualified City electors who are timely registered in accordance with law shall be entitled to vote. The City's officials are authorized to obtain any necessary election administration services from the Monroe County Supervisor of Elections.

Section 5. That notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in a newspaper of general circulation within the City at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, October 1, 2006), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, October 15, 2006), and shall be in substantially the following form:

“NOTICE OF REFERENDUM ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO ORDINANCE NO. 2006-021, ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA (THE "CITY") A BINDING REFERENDUM ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY, IN CONJUNCTION WITH THE GENERAL ELECTION, ON TUESDAY, NOVEMBER 7, 2006, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING REFERENDUM BALLOT MEASURE SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY.

Question:

Change in the Term of Office for City Council Members

The Charter of the City of Marathon currently provides that the term of office for City Council members shall be two years.

Shall the first sentence of Section 5(2) of the Charter of the City of Marathon be amended as follows:

“The term of office for council members shall be 3-~~2~~ years.”?

Yes []

No []

Section 6. Copies of this Ordinance proposing the referendum ballot measures are on file in the office of the City located at City of Marathon, 10045-55 Overseas Highway, Marathon, Florida 33050, and are available for public inspection during regular business hours.

Section 7. That the referendum ballot question shall be a binding measure if approved by a majority of the qualified electors voting on such question.

Section 8. This Ordinance shall become effective immediately upon its adoption.

ENACTED by the City Council of the City of Marathon, Florida, this 5th day of September, 2006.

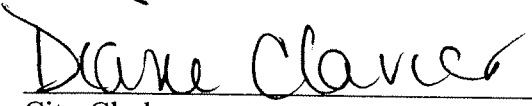
THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

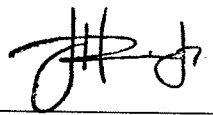
AYES: Tempest, Worthington, Pinkus, Mearns, Bull
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



City Clerk
(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney