

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA; AMENDING THE TOWN CHARTER TO REQUIRE A VOTE OF THE ELECTORATE PRIOR TO ANNEXATION OF ANY REAL PROPERTY TO THE MUNICIPALITY; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CHARTER AND AN EFFECTIVE DATE.

WHEREAS, the Town Council may, by ordinance, propose amendments to the Town Charter subject to approval by the electorate at a general or special election called for such purpose; and

WHEREAS, the Town Council wants to amend the Charter to add a provision requiring a majority vote of the electorate prior to annexation of any real property to the Town; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS¹:

Section 1. That the Charter of the Town of Golden Beach, Florida is hereby amended by adding a new section to Article II which shall read as follows:

Annexation:

Any resolution adopted by the Town Council proposing to annex any real property to the Town, pursuant to the procedures for annexation established by Chapter 20 of the Code of Metropolitan Dade County, shall be submitted to a vote of the qualified electors of the Town for approval or disapproval. No annexation shall be authorized unless approved by a majority of those qualified persons

¹ ~~Highlighted text~~ has been added to existing language; ~~struck through text~~ has been deleted from existing language.

voting in such election.

Section 2. Form of Ballot.

Title: Affirmative Vote of Electorate Required for
Annexation of Real Property.

Shall the Town Charter be amended to provide that there shall be no annexation of real property without approval of the electorate by referendum?

[] Yes
[] No

Section 3. Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion In The Charter.

It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Charter of the Town of Golden Beach; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date.

This Ordinance shall become effective upon approval of the electorate.

PASSED AND ADOPTED on first reading this _____ day of

_____, 19 .

PASSED AND ADOPTED on second reading this _____ day of

_____, 19 .

BARRY A. NELSON, MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY: