

ORDINANCE NO. C-26-20

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONDITIONED ON THE APPROVAL OF A BALLOT MEASURE, BY UPDATING THE QUALIFICATIONS FOR THE OFFICES OF MAYOR AND CITY COMMISSIONER, PROVIDING FOR THE ASSUMPTION OF OFFICE AT THE FIRST REGULAR CITY COMMISSION MEETING FOLLOWING CERTIFICATION OF AN ELECTION, PROVIDING FOR THE DESIGNATION OF A VICE MAYOR AT THE CITY COMMISSION'S FIRST MEETING AFTER ALL ELECTED OFFICIALS ASSUME OFFICE FOLLOWING A REGULAR MUNICIPAL ELECTION AND ANNUALLY THEREAFTER, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Charter Revision Board has recommended to the City Commission that certain amendments be made to the Charter of the City of Fort Lauderdale, Florida; and

WHEREAS, the City Commission proposes certain amendments to the Charter of the City of Fort Lauderdale, Florida, to be submitted for voter consideration;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 3.03 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 3.03. - Qualification of members; ~~forfeiture of office.~~

~~To be eligible to hold the office of mayor of the City of Fort Lauderdale, or to qualify for nomination or election as such, the candidate shall have resided in the City of Fort Lauderdale for six (6) months immediately preceding the date of the election, shall continuously reside in the City of Fort Lauderdale, and shall be a resident of the State of Florida and a citizen~~

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~~of the United States of America; shall be duly qualified to vote at city, state and national elections; shall be over the age of twenty-one (21) years; shall be otherwise qualified as in this charter provided; shall hold no other public elective office; and shall not be an officer, employee or serving any capacity with the city government, except that a city commissioner serving may qualify for election to the office of mayor. Candidates for nomination or election as mayor shall comply with all the rules and regulations set out in the charter as to their conduct. Any candidate for mayor or any mayor who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office.~~

~~To be eligible to hold the office of city commissioner of the City of Fort Lauderdale, or to qualify for nomination or election as such, the candidate shall have resided in the City of Fort Lauderdale for six (6) months immediately preceding the date of the election, and shall reside in the commission district from which he or she seeks election on the day he or she qualifies as a candidate for that office, shall continuously reside in that district and shall be a resident of the State of Florida, and a citizen of the United States of America; shall be duly qualified to vote at city, state and national elections; shall be over the age of twenty-one (21) years; and shall be otherwise qualified as in this charter provided; shall hold no other public elective office; and shall not be an officer, employee or serving in any capacity with the city government, except that a city commissioner serving may qualify for reelection. Candidates for nomination or election for the office of city commissioner shall comply with all the rules and regulations set out in the charter as to their conduct. Any candidate for city commission or any city commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office or candidacy.~~

- (a) To be eligible to hold the office of mayor, a candidate shall:
 - (1) have resided continuously in the City as a permanent resident for at least twelve months immediately preceding the date of qualification for such office;
 - (2) be a citizen of the United States of America;

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- (3) be an elector of the City at the time of qualification for such office;
- (4) hold no other public elective office as of the earlier of ~~the two~~ ~~dates;~~ ~~(a.)~~ the date he or she would take office, if elected, or ~~(b.)~~ the date his or her successor is required to take office; and
- (i) such public elected officer ~~must~~ shall have submitted an irrevocable resignation at least ten days prior to the first day of qualifying for the ~~such~~ office of mayor;
- (5) not be an officer, employee, or serving in any capacity in the government of the City at the time of filing a candidate oath in accordance with section 7.14 of this charter, except that a city commissioner may qualify for election to the office of mayor, and the mayor may qualify for reelection subject to section 3.02 of this charter;
- (6) reside continuously as a permanent resident of the City during the term of office; and
- (7) be otherwise qualified for such office as provided in this charter.
- (b) To be eligible to hold the office of city commissioner a candidate shall:
 - (1) have resided continuously as a permanent resident of the city commission district for which such candidate seeks office for at least twelve months immediately preceding the date of qualification for such office, except that in any year in which there has been a reestablishment of city commission districts (a "Reestablishment"), a candidate for the office of city commission whose permanent residence in the City is in a different city commission district as a result of the Reestablishment may seek office as a city commissioner in the city commission district of his or her permanent residence that results from the Reestablishment;
 - (2) be a citizen of the United States of America;

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- (3) be an elector of the City at the time of qualification for such office;
- (4) hold no other public elective office as of the earlier of ~~the two~~ ~~dates;~~ ~~(a.)~~ the date he or she would take office, if elected, or ~~(b.)~~ the date his or her successor is required to take office; and
if such public elected officer ~~must~~ shall have submitted an irrevocable resignation at least ten days prior to the first day of qualifying for ~~the such~~ office of city commissioner;
- (5) not be an officer, employee, or serving in any capacity in the government of the City at the time of filing a candidate oath in accordance with section 7.14 of this charter, except that a city commissioner serving may qualify for reelection subject to section 3.02 of this charter;
- (6) reside continuously as a permanent resident of the district to which such commissioner is elected during the term of office; and
- (7) be otherwise qualified for such office as provided in this charter.
- (c) Candidates for election as mayor or city commissioner shall comply with all the rules and regulations set forth in the charter as to their conduct. Any candidate for mayor or city commissioner, or any mayor or city commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office or candidacy.
- (d) For purposes of this section, continuous residence as a permanent resident for at least twelve months immediately preceding the date of qualification for office must be established by providing a copy of at least five of the following to the city clerk:
 - (1) Florida driver license or identification ~~card number~~ showing a home address within the city or district, as applicable;

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- (2) Florida vehicle registration showing a home address within the city or district, as applicable;
- (3) Florida voter registration card showing a home address within the city or district, as applicable;
- (4) Certified copy of a recorded declaration of domicile and residency showing a home address within the city or district, as applicable;
- (5) Address listed on the last Internal Revenue Service tax return, showing a home address within the city or district, as applicable;
- (6) Bank statement and checking account mailing address showing a home address within the city or district, as applicable;
- (7) Proof of payment of utilities at a home address within the city or district, as applicable;
- (8) Property Appraiser's record showing ownership of homestead property within the city or district, as applicable;
- (9) An item of mail with a postmark directed to a person's home address within the city or district, as applicable;
- (10) A residential lease showing a home address within the city or district, as applicable.

SECTION 2. That Section 3.05 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 3.05. Designation of ~~vice-mayor~~ vice mayor.

- (a) At its first meeting after all commissioners elected in a municipal election assume office, and annually thereafter until the next municipal election, the regular triennial election of 1988, the city commission shall, by resolution, designate a district commissioner as ~~vice-mayor~~ vice mayor. ~~The vice-mayor selected in 1988 shall~~

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~~serve until the first city commission meeting to be held in April 1989 and at that meeting and at the first meeting in April for every year thereafter the city commission shall by resolution designate a district commissioner as vice mayor.~~ Should a commissioner decline or be otherwise disqualified from serving in the office of ~~vice mayor~~ vice mayor, then and in that event, another district commissioner shall be designated by resolution to serve in such office.

- (b) The ~~vice mayor~~ vice mayor shall preside at any meeting of the city commission from which the mayor is absent and shall perform those functions and duties set forth in section 4.04 hereof. Should the mayor resign from office or be otherwise unable to continue to serve as mayor, the ~~vice mayor~~ vice mayor shall serve as mayor until the vacancy in the office of mayor shall be filled as provided herein.

SECTION 3. That Section 4.04 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 4.04. Functions and duties of mayor.

The mayor or, in his or her absence or disqualification, the ~~vice mayor~~ vice mayor, shall perform the following functions:

- (a) Preside at all meetings of the city commission, and maintain order and decorum. He or she shall have the right to limit the time a person shall be permitted to speak upon a given subject. He or she shall have the right to follow an order of business by written agenda, if desired. He or she shall have the right to expel any person from the meeting who refuses to obey the order of the mayor in relation to preserving order and decorum at the meeting, and upon direction of the presiding officer, the police department shall expel such person from the meeting.
- (b) He or she shall have a voice and vote in the proceedings of the city commission, but no veto power. He or she shall vote last upon the roll call of commissioners. He or she shall have the right to temporarily relinquish the chair to the ~~vice mayor~~ vice mayor or other

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commissioner in order to make a motion, or offer a resolution or ordinance.

- (c) He or she may use the title of mayor in any case in which the execution of legal instruments, writings, or other papers so require; but this shall not be considered as conferring upon him or her any of the administrative or judicial functions of a mayor under the general laws of the state, except as herein provided.
- (d) He or she shall be recognized as the official head of the city by the courts for the purposes of serving civil processes; by the government in the exercise of military law; and by the public in general for all ceremonial purposes.
- (e) He or she shall exercise all the power and duties of the mayor as may be conferred upon him or her by the city commission in pursuance of the provisions of this charter, and no others.

SECTION 4. That Section 3.09 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended to provide as follows:

Sec. 3.09. Organizational meeting.

~~On the first regular meeting day in December following each regular election the existing date of the first regular city commission meeting shall meet at the usual place for holding the meetings of the legislative body of the city, for the purpose of transacting any and all necessary business before assumption of office by the~~ after the certification of election results by the Broward County Canvassing Board, all newly-elected commissioners officials whose election has been certified shall take an oath of office and assume the duties of office. At 11:00 a.m. Eastern Standard Time the newly elected city commissioners shall assume the duties of office.

SECTION 5. That Section 3.10 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby repealed as follows:

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~~Sec. 3.10. Special meeting to seat a new member.~~

~~On the first Tuesday following the election of a new member, elected at other than a quadrennial regular election, the commission shall meet to receive such new member.~~

SECTION 6. That this Ordinance shall not take effect unless a corresponding ballot measure is approved by a majority of the electors of the City of Fort Lauderdale voting at the election to be held on November 3, 2026. The ballot measure to be submitted shall be in substantially the following form:

CHARTER AMENDMENT NO. 1

QUALIFICATIONS FOR ELIGIBILITY TO HOLD OFFICE,
ORGANIZATIONAL MEETING, AND DESIGNATION OF VICE MAYOR

Should the City of Fort Lauderdale Charter be amended to update the qualifications for the offices of mayor and city commissioner, and provide that elected officials assume office at the first regular City Commission meeting following certification of their election, and that a vice mayor be designated at the City Commission’s first meeting after all elected officials assume office following a regular municipal election and annually thereafter, instead of at the first meeting in April?

YES, for approval

NO, for rejection

SECTION 7. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 8. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

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SECTION 9. That, at the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in this Ordinance, to the numbering, lettering, and capitalization structure established in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct non-substantive scrivener’s errors in the codification of these Charter amendments.

SECTION 10. That this Ordinance shall be in full force and effect, as conditioned in Section 6, ten days after the date of certification of election results by the Broward County Canvassing Board.

PASSED FIRST READING this 19th day of May, 2026.

PASSED SECOND READING this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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