

## CHAPTER 2011-252

### House Bill No. 865

An act relating to the Town of Southwest Ranches, Broward County; amending chapter 2000-475, Laws of Florida; amending the town's charter to remove inapplicable provisions and to make ministerial changes; providing further description of the town's rural residential character; eliminating previously repealed language; providing additional language relating to filling council vacancies; clarifying that only the town council is required to vote by roll call; clarifying that a roll call vote is required by the town council on all land use and quasi-judicial items; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1.01 of Article I, section 2.04 of Article II, subsection (b) of section 4.01 of Article IV, and section 5.01 of Article V of section 1 of chapter 2000-475, Laws of Florida, are amended, and paragraph (7) is added to subsection (c) of section 2.06 of Article II of that section, to read:

Section 1.01. Corporate existence.—In order to preserve, to protect, and to enhance the quality of life and the rural residential character of ~~the~~ Southwest Ranches, a municipal corporation known as ~~the~~ Town of Southwest Ranches (the "Town") is hereby created pursuant to the Constitution of the State of Florida (the "State"). The corporate existence of the Town shall commence upon the adoption of this Charter by the electorate pursuant to section 9.01 of this charter.

Section 2.04. Election and term of office.—

(a) MAYOR.—~~Except as provided in Section 9.03(e),~~ The Mayor shall be elected at large for a 4-year term by the electors of the Town in the manner provided in Article VI. The Mayor shall remain in office until his or her successor is elected and assumes the duties of the position.

(b) TOWN COUNCIL.—~~Except as provided in Section 9.03(e),~~ Each Council member other than the Mayor shall be elected at large for a 4-year term by the electors of the Town in the manner provided in Article VI. Subsequent to the decennial census of 2000, but at least 6 months before the qualifying period for the subsequent municipal election of 2002, the Council shall divide the Town into four residential districts which shall be as nearly equal in population as practicable. The Council shall designate each of the districts one of the numbers 1 through 4. Each seat number shall correspond with a residential district number. Beginning with the municipal election of 2002, and for each election thereafter, the four members of the Council other than the Mayor must also be electors of the Town and residents of the particular residential district on the date on which they qualify for election. Council members in office who are removed from their district as a result of

the redistricting subsequent to the decennial census of 2000, or after a subsequent decennial census, may serve out the balance of their terms. Each Council member shall remain in office until his or her successor is elected and assumes the duties of the position.

Section 2.06. Vacancies; forfeiture of office; filling of vacancies.—

(c) FILLING OF VACANCIES.—A vacancy on the Council shall be filled as follows:

(7) In the event that the Council is required to fill the vacancy, within 7 days after the vacancy, the Town shall publish notice to seek interested qualified candidates to fill the vacancy, which candidates must respond to the notice within 15 days after publication. The Council shall select a candidate to fill the vacancy from the interested qualified candidate list within 15 days after receiving all timely responses.

Section 4.01. Council meeting procedure.—

(b) QUORUM AND VOTING.—Except as otherwise provided in this Charter, any three members of the Council shall constitute a quorum. The affirmative vote of three members of the Council shall be required for any legislative action with the exception of quasi-judicial items relating to land use and zoning, which shall be governed by Section 5.01. All votes taken by the Council ~~voting~~ shall be by roll call.

Section 5.01. Quasi-judicial meeting procedures.—~~All land use and quasi-judicial items relating to land use and zoning~~ require four affirmative votes of the Council. Any four members of the Council shall constitute a quorum for land use and quasi-judicial items. All voting by the Council on land use and quasi-judicial items shall be by roll call.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 24, 2011.

Filed in Office Secretary of State June 24, 2011.