

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST,
FLORIDA, PURSUANT TO SECTION 8.01 OF THE
KEY WEST CHARTER PROPOSING THAT SECTION
4.01 OF THE KEY WEST CHARTER BE AMENDED
TO ELIMINATE REFERENCES TO GENDER
REGARDING THE CITY MANAGER; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR
AN EFFECTIVE DATE

WHEREAS, Florida Statutes Section 166.031 and Key West
Charter Section 8.01 provide the City Commission with the
authority to propose by ordinance a Charter amendment, and;

WHEREAS, the City shall follow Florida Statutes Section
100.342 concerning notice of a referendum and Florida
Statutes Section 101.161 concerning preparation of the
referendum ballot, and;

WHEREAS, section 4.01 of the City Charter for the City
of Key West is a provision providing for the City Manager
form of government, and;

WHEREAS, section 4.01 contains language that makes
references to a male city manager, and;

WHEREAS, The City Charter and District Boundary
Committee voted to make a recommendation that Section 4.01 of
the city charter be amended to eliminate references of
specific genders to gender neutral language, and;

WHEREAS, the City Commission desires that the proposed referendum appear on the Primary Election ballot of August 23, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That an amendment to Key West Charter section 4.01 shall hereby be presented as a referendum to the voters of Key West. The question appearing on the ballot shall have the following title: "Referendum - Amendment to Sec. 4.01 of the city charter to replace language regarding specific genders to gender neutral references." The question appearing on the ballot shall be worded as follows:

"Should Section 4.01 of the city charter
be amended to replace gender specific
references gender neutral language?

YES

NO

Section 2: In the event of the passage of the proposed Charter amendment set forth in section 1, above, Section 4.01 of the Key West Charter shall be amended as follows:

Sec. 4.01 City Manager

There shall be a city manager who shall be the chief executive and the administrative officer of the city. The manager shall be responsible to the commission for the administration of all city functions and affairs placed in ~~his~~ their charge by or under this Charter.

Section 3: The City Clerk is hereby authorized and instructed to take all necessary and proper action to place the referendum question set forth in Section 1, above, on the Primary Election ballot of August 23, 2022, and to provide notice of the referendum election as provided by law.

Section 4: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

Section 5: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 6: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting
held this _____ day of _____, 2022.

Read and passed on final reading at a regular meeting
held this _____ day of _____, 2022.

Authenticated by the presiding officer and Clerk of
the Commission on _____ day of _____, 2022.

Filed with the Clerk _____, 2022.

Mayor Teri Johnston _____

Vice Mayor Sam Kaufman _____

Commissioner Gregory Davila _____

Commissioner Mary Lou Hoover _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK