

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF KEY WEST,  
FLORIDA, PURSUANT TO SECTION 8.01 OF THE  
KEY WEST CHARTER PROPOSING THAT SECTION  
5.01 OF THE KEY WEST CHARTER BE AMENDED  
TO ELIMINATE THE CIVIL SERVICE BOARD;  
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 5.01 of the City Charter for the City of Key West is a provision providing for a Civil Service Board, and;

WHEREAS, The City Charter and District Boundary Committee voted to make a recommendation that Section 5.01 of the city charter be amended to eliminate the Civil Service Board and retain the Civil Service System, 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 5.01 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. 5.01 of the city charter to eliminate the Civil Service Board." The question appearing on the ballot shall be worded as follows:

"Should Section 5.01 of the city charter  
be amended to eliminate the Civil Service  
Board but retain the Civil Service  
System?

\_\_\_\_\_  
YES

\_\_\_\_\_  
NO

Section 2: In the event of the passage of the proposed Charter amendment set forth in section 1, above, Section 5.01 of the Key West Charter shall be amended as follows:

#### **5.01 - Civil service board.**

There shall be a civil service system for employees of the City of Key West. Its specific terms and conditions shall be established by ordinance.

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.

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.

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

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