



THE CITY OF KEY WEST

1300 WHITE STREET
KEY WEST, FLORIDA 33040

To: City Commission for the City of Key West
From: Ronald Ramsingh, City Attorney
Date: March 14, 2024
RE: Recommended Amendment to Sec 2-64 Code of Ordinances
Sponsor: Ronald Ramsingh, City Attorney

Background:

Two years ago, the city and the voters changed the City Charter to require a one-year residency prior to qualification to run for Mayor or City Commission. Section 2-64 of the code of ordinances has not yet been amended to reflect the same. In the event of a conflict, the Charter controls. However, to prevent any potential issues, this inconsistency should be fixed in advance of qualification for this year's elections. There have been no local elections since the Charter was amended in 2022.

I recommend amending Section 2-64 as follows:

Sec. 2-64. - Residency requirement for mayor and city commission office.

(a) Any city elector shall be eligible to hold the office of mayor. Any candidate for mayor **or commissioner** shall reside in the eCity of Key West at the time of qualification **continuously for at least one year.**

(b) Any city elector who, as of the date of qualification, resides in the district which he is seeking to represent shall be eligible to hold the office of city commissioner. Any person elected to represent a district shall maintain residency in that district for the term of office.

This proposed amendment will conform with current City Charter Section 3.02:

City Charter 3.02 - Qualifications for mayor and commissioners.

Any elector of the city shall be eligible to hold the office of mayor. **Any candidate for mayor or City Commissioner shall reside in the City of Key West at the time of qualification continuously for at least one year.** Any elector of the city who, as of the date of qualification, resides in the district which he or she is seeking to represent shall be eligible to hold the office of city commissioner. Any person elected to represent a district shall maintain residency in that district for the term of office. The city commission shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office. A member charged with conduct constituting grounds for forfeiture of this office shall be entitled to a public hearing on demand

and notice of such hearing shall be published in one (1) or more newspapers of general circulation in the city at least one (1) week in advance of the hearing.

Options:

1. To pass the proposed ordinance amendment to make Sec. 2-64 consistent with the City Charter as amended in 2022.
2. To Deny the proposed ordinance. Although the Charter controls, there will be an inconsistency between the Charter and Sec. 2-64.

Recommendation:

To pass the proposed ordinance to bring Sec. 2-64 in line with the City Charter section 3.02