

**ORDINANCE NO. 24-02**

**AN ORDINANCE OF THE TOWN OF CENTURY, FLORIDA, PROPOSING AN AMENDMENT TO THE CENTURY TOWN CHARTER; PROPOSING A CHARTER AMENDMENT CONCERNING THE MAYOR'S EMPLOYMENT AUTHORITY; CALLING FOR A REFERENDUM ON THE PROPOSED AMENDMENT TO THE CHARTER TO BE HELD AT THE GENERAL ELECTION ON NOVEMBER 5, 2024; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR DIRECTION TO THE TOWN CLERK AND COORDINATION WITH THE ESCAMBIA COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, the Century Town Council has determined that it is advisable to submit the proposed charter amendment set forth herein to the electors of the Town of Century for their consideration at an upcoming election, pursuant to the Town Council's authority under Section 166.031, Fla. Stat.; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, \*\*\* shall constitute ellipses to the original text, and ~~strikethrough~~ shall constitute deletions to the original text.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CENTURY, FLORIDA:**

**Section 1. Findings of Fact.** The foregoing whereas clauses are hereby adopted as findings of fact and are otherwise fully incorporated herein.

**Section 2. Proposed Charter Amendment.** The amendment to the Town Charter for the Town of Century, Florida which is appended and attached as Exhibit "A" to this Ordinance is hereby adopted by reference by the Town Council to be submitted to the electors of the Town of Century for referendum.

**Section 3. Referendum Called.** A referendum on the proposed adoption of the Charter amendment appended hereto and adopted by reference as Exhibit "A" to this Ordinance shall be placed on the ballot at the general election to be held on November 5, 2024. The ballot title and ballot summary for the proposed charter amendment are set forth in Exhibit "A." The Charter amendment shall become effective upon approval of its corresponding ballot question in such referendum.

**Section 4. Direction to Town Clerk and Coordination with Supervisor of Elections.** The Town Clerk is hereby authorized and directed to coordinate with the Escambia County Supervisor of Elections to include the ballot question attached hereto as Exhibit "A" on the ballot at the general election to be held in the Town of Century on November 5, 2024. The Town Clerk

is directed to see to the satisfaction of the requirements of Section 100.342, Fla. Stat., which provides that “there must be at least 30 days’ notice of the election or referendum by publication in a newspaper of general circulation in the... municipality.... The publication must be made at least twice, once in the fifth week and once in the third week before the week in which the election or referendum is to be held.”

**Section 5. Severability.** The provisions of this Ordinance are deemed severable. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance is for any reason whatsoever held to be invalid, illegal, unconstitutional, contrary to law, or against public policy, by any court, administrative agency, or other body with competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Ordinance, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Ordinance, which shall remain in full force and effect. This Ordinance shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Ordinance as expressed herein.

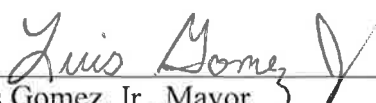
**Section 6. Conflicts.** All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

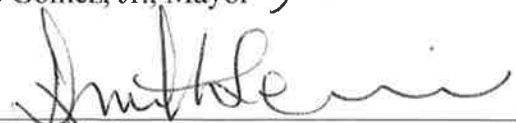
**Section 7. Effective Date.** This Ordinance shall become effective upon final adoption by the Century Town Council.

PASSED on first reading this 2<sup>nd</sup> day of July 2024.


PASSED AND ADOPTED in regular session, with a quorum present and voting, by the Century Town Council, upon second and final reading this 17<sup>th</sup> day of September 2024.

TOWN OF CENTURY, FLORIDA

  
Luis Gomez, Jr., Mayor

  
Dynette Lewis, Council President

ATTEST:

By:   
Kristina Wood, Deputy Town Clerk

**Exhibit "A"**

**QUESTION #2**

**Ballot Proposal:** The ballot title and ballot summary for this question are as follows:

TOWN CHARTER AMENDMENT  
CONCERNING MAYOR'S EMPLOYMENT  
AUTHORITY

Amending the Town of Century Charter to expand the Mayor's powers to select, appoint, suspend, and remove town employees and appointive administrative officers, by limiting the requirement for Council approval of such actions solely to the selection, appointment, suspension, or removal of the Town Clerk, Town Attorney, and Town Manager.

Shall the above-described amendment be adopted?

Yes  
 No

**Ballot Language Translation:** The Spanish language translation for the ballot title and ballot summary for the aforementioned question are as follows:

ENMIENDA A LA CARTA ORGÁNICA DE LA  
CIUDAD SOBRE LA AUTORIDAD LABORAL  
DEL ALCALDE

Enmendar la Carta Orgánica de la ciudad de Century para ampliar los poderes del Alcalde para seleccionar, nombrar, suspender y destituir a los empleados de la ciudad y a los funcionarios administrativos designados, limitando el requisito de aprobación del Ayuntamiento de tales acciones únicamente a la selección, nombramiento, suspensión o destitución del Secretario Municipal, Abogado Municipal y Administrador Municipal.

¿Deberá adoptarse la enmienda antes descrita?

Sí  
 No

**Text Revisions:** Upon approval of this question at referendum, the following portions of the Century Town Charter are amended to read as follows:

**Sec. 3.07. – Duties and Powers.**

- (a) *Employees and Officers.* The council shall pass upon the recommendations of the mayor as to the selection, appointment, suspension, or removal of a Town Clerk, a Town Attorney, and a Town Manager. ~~all town employees and appointive administrative officers provided for by or under this charter, by town ordinance, or otherwise, except as otherwise provided by law, this charter, or personnel rules adopted pursuant to this charter.~~

...

**Sec. 4.05. - Powers and Duties of the Mayor.**

The mayor shall:

- (a) ~~Subject to the approval of a majority of the councilmembers,~~ Hire or appoint and, when he deems it necessary for the good of the town, suspend or remove any town employee and appointive administrative officer provided for by or under this charter, or by town ordinance, except as otherwise provided by law, this charter, or personnel rules adopted pursuant to this charter. The mayor may authorize any administrative officer, who is subject to his direction and supervision, to exercise these powers with respect to subordinates in that officer's department, office, or agency; provided, however, that such action shall have the approval of the mayor, ~~and the council~~ The mayor's hiring, appointment, suspension, or removal of a Town Clerk, a Town Attorney, and a Town Manager shall be subject to the approval of the council;