



Legislation Text

File #: 080576., **Version:** 1

PROPOSED CHARTER AMENDMENT - PROTECTION OF CITY-OWNED LANDS FOR CONSERVATION, RECREATION AND CULTURAL PURPOSES (B)

Ordinance No. 0-08-87

An ordinance of the City of Gainesville, Florida; approving an amendment to the Charter Laws of the City of Gainesville; amending Article V of the Charter Laws, entitled "Special Provisions" pertaining to the protection of City-owned lands acquired or used for conservation, recreation, or cultural purposes; providing for submission of the charter amendment to the voters for approval or disapproval at the March 24, 2009 regular municipal election; approving the ballot title and summary to be placed on the ballot; providing that this charter amendment shall become effective immediately; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; providing for liberal construction and interpretation; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

On November 6, 2008, the City Commission authorized this office to prepare an ordinance containing the proposed charter amendment, the ballot title and summary, and to submit the proposed amendment to a vote of the electorate at the next regular City election to be held on Tuesday, March 24, 2009. The proposed charter amendment is included in Section 1 of the ordinance.

Florida Statute Section 101.161(1) provides that every measure put to a vote of the electorate must have a ballot summary with a maximum of 75 words and a title with a maximum of 15 words set out in the ordinance. The ballot title and summary are included in Section 2 of the ordinance.

The proposed charter amendment and ballot summary and title are patterned after the Alachua County Charter amendment that was approved by the voters at the general election on November 4, 2008. A copy of Alachua County Ordinance No. 08-16 is attached for reference. The City Attorney's Office offers several revisions to the county's charter amendment for clarification purposes that are included in the proposed city charter amendment: 1) the term "property" is refined to mean real properties owned by the City in fee simple; 2) the process for placing real properties on the registry is by ordinance that requires notice and public hearing instead of resolution; 3) the determination of "loss of value" on the sale or change of use of real properties is made by the city commission.