

## ORDINANCE 2020-23

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 4.01, OF THE CHARTER OF THE CITY OF LAKE WALES TO PROVIDE A RESIDENCY REQUIREMENT FOR THE CITY MANAGER; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Commission of the City of Lake Wales ("City Commission") is the governing body of the City of Lake Wales, Florida, an incorporated Florida municipality; and

**WHEREAS**, §8-86 of the Lake Wales Code of Ordinances and §166.031, Florida Statutes, sets forth the process for amending the Charter of a Florida municipality and specifically allows for charter amendments to be proposed to municipal electors by the municipality's governing body; and

**WHEREAS**, the City Commission of the City of Lake Wales finds it in the best interests of the citizens of the City to initiate an ordinance proposing an amendment to Article IV, Section 4.01, of the City's Charter to provide a residency requirement for the city manager to live within the "greater Lake Wales area" within six months of employment.

WHEREAS, the City Commission of the City of Lake Wales finds that this ordinance proposes a single-subject amendment to the *Charter of the City of Lake Wales, Polk County, Florida*; **NOW, THEREFORE**,

Be it enacted by the City Commission of the City of Lake Wales, Florida:

Article IV, Section 4.01 of the *Charter of the City of Lake Wales, Polk County, Florida*, shall be amended to read as follows:

### **Section 1.**

#### **§ 4.01. Appointment of city manager; qualifications.**

The commission members shall appoint a city manager who shall be the administrative head of the municipal government under the direction and supervision of the city commission, and shall hold office at the pleasure of the city commission. The city manager shall be chosen solely on the basis of executive and administrative qualifications and need not be a resident of the city or state at the time of appointment. The city manager must reside within "the greater Lake Wales area as determined by the commission" within six months of employment. The city manager shall receive a salary to be fixed by the city commission. No person who has served on the city commission shall be eligible for appointment to the office of city manager until two years after membership on the city commission has ended.

**Ballot Title:**

Providing for a residency requirement for the city manager within six months after appointment to serve as the city manager.

**Ballot Summary:**

Proposing that there be a residency requirement for appointment as city manager of the City of Lake Wales by addition of the following sentence to §4.01 of the City's Charter as set forth above: "The city manager must reside within "the greater Lake Wales area as determined by the commission" within six months of employment."

**Ballot Question:**

**Shall the above described Amendment be adopted?**

FOR \_\_\_\_\_

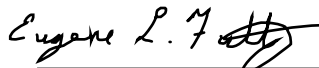
AGAINST \_\_\_\_\_

**Section 2.** After final passage of this Ordinance, the proposed amendment shall be placed on the ballot for a vote of the electors at the 2021 municipal election held within the City Lake Wales, Florida, or at a special election called for the purpose of voting on charter amendments, whichever election occurs first. In accordance with §166.031, Florida Statutes, Section 1 of this Ordinance shall take effect only upon adoption of the amendment by a majority of the electors voting in a regular municipal election or in a duly called special election to consider the proposed amendment.

INTRODUCED on First Reading this 20th day of October, 2020.

PASSED AND ENACTED on Second Reading, with a quorum present and voting, by the City Commission of the City of Lake Wales, Florida, this 3rd day of November, 2020.

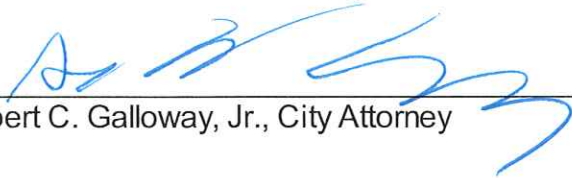
**CITY OF LAKE WALES, FLORIDA**

  
\_\_\_\_\_  
Eugene Fultz, Mayor

Attest:

\_\_\_\_\_  
Jennifer Nanek, CMC, City Clerk

Prepared by:

  
\_\_\_\_\_  
Albert C. Galloway, Jr., City Attorney

