RESOLUTION NO. 14-08-56

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE VILLAGE CHARTER TO THE VILLAGE ELECTORS PERSUANT TO AN INITIATIVE PETITION OF ELECTORS IN ACCORDANCE WITH SECTION 8(9) OF THE VILLAGE CHARTER; SUBMITTING A PROPOSED CHARTER AMENDMENT FOR THE CREATION OF A NEW SECTION 11(4) OF THE VILLAGE CHARTER TO BE ENTITLED “MAXIMUM GROSS FLOOR AREA”; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE AT THE NEXT GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014; PROVIDING FOR INCLUSION THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Section 8(9) of the Charter of Islamorada, Village of Islands (the “Village”) the requisite number of electors of the Village have petitioned (the “Petition”) for an amendment to the Village Charter (the “Charter Amendment”) to create a new Section 11(4) to be entitled “Maximum Gross Floor Area”; and

WHEREAS, pursuant to Section 8(9) of the Village Charter and Chapter 14, Article II of the Village Code of Ordinances, the Village Council is required to submit to the proposed Charter Amendment to the electors of the Village for approval or rejection; and

WHEREAS, the next general election within the Village is scheduled to be held on November 4, 2014.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.
Section 2. Proposed Amendment to the Village Charter. As provided for by the Petition of Village electors pursuant to Section 8(9) of the Village Charter and Chapter 14, Article II of the Village Code of Ordinances, the following amendment to Section 11 of the Village Charter is proposed and shall be voted on by the Village electorate:

Section 11. General provisions.
(4) Maximum floor area of structures. The maximum floor area of any structure other than those for public and semi-public uses shall be no more than 10,000 square feet of floor area within the perimeter of the exterior walls of the structure as measured from the outside surface of the exterior walls.

Section 3. Notice of Election.

A general election will be held within the Village on Tuesday, November 4, 2014, to present to the electors of Islamorada, Village of Islands, the ballot question provided in Section 4 of this Resolution.

Section 4. Form of Ballot.

The form of ballot for the Charter Amendment provided for in Section 2 of this Resolution shall be substantially, as follows:

“Maximum Floor Area of Structures.”

A Charter Amendment is proposed that would limit the maximum floor area of any structure within the Village, other than those for public and semi-public uses, to no more than 10,000 square feet of floor area within the perimeter of the exterior walls of the structure as measured from the outside surface of the exterior walls.

Shall the above-described Charter amendment be adopted?

Yes [   ]

No [   ]
Section 5. Notice of Election. Notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in a newspaper of general circulation within the Village at least thirty (30) days prior to said election, the first publication to be in the fifth week prior to the election and the second publication to be in the third week prior to the election. The notice of election shall be in substantially the following form:

NOTICE OF GENERAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT A GENERAL ELECTION WILL BE HELD WITHIN THE VILLAGE ON TUESDAY, NOVEMBER 4, 2014, AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSAL SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE VILLAGE.

“Maximum Floor Area of Structures.”

A Charter Amendment is proposed that would limit the maximum floor area of any structure within the Village, other than those for public and semi-public uses, to no more than 10,000 square feet of floor area within the perimeter of the exterior walls of the structure as measured from the outside surface of the exterior walls.

Shall the above-described Charter amendment be adopted?

Yes [ ]

No [ ]

Polling place information and the full text of the proposed Village Charter Amendment are available at the Office of the Village Clerk, 86800 Overseas Highway, Islamorada, Florida 33036.

__________________________
Village Clerk

Section 6. Authority of Village Clerk. The Village Clerk, with necessary assistance from the Monroe County Supervisor of Elections, is hereby authorized to take all
necessary and appropriate actions to effectuate and accomplish the intent and electoral provisions of this Resolution.

Section 7. Village Canvassing Board. This election shall be canvassed by the Village Clerk in accordance with the provisions of Section 8(7) of the Village Charter and any applicable provisions of the general election laws.

Section 8. Effectiveness. The adoption of the proposed Charter Amendment set forth in Section 2 above shall only become effective if a majority of the qualified electors voting on the Charter Amendment affirmatively vote for its adoption. The adopted Charter Amendment shall be considered adopted and effective upon certification of the election results.

Section 9. Inclusion in the Charter. In the event that the Charter Amendment is approved by the electors, it shall be deemed to be adopted and the Village Clerk is authorized to revise the Charter to the extent necessary to ensure conformity. Following adoption of the Charter Amendment, the Village Clerk shall have the Charter Amendment incorporated into the Charter of Islamorada, Village of Islands and shall file the revised Charter with the Florida Department of State.

Section 10. Effective Date. This resolution shall be effective immediately upon its adoption.

Motion to adopt by Councilman Ken Philipson, seconded by Councilman Dave Purdo.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA:

Mayor Ted Blackburn       YES
Vice Mayor Deb Gillis     YES
Councilman Mike Forster   YES
Councilman Ken Philipson  YES
Councilman Dave Purdo     YES
PASSED AND ADOPTED this 21st day of August, 2014.

TED BLACKBURN, MAYOR

ATTEST:

KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY