

## **Charter for the City of Lake City, Florida**

### **ARTICLE I. INCORPORATION, BOUNDARIES AND CHARTER**

#### **Section 101. Incorporation.**

City of Lake City, County of Columbia, State of Florida was first incorporated under Laws of Fla. ch. 940 (1858).

#### **Section 102. Effective date of this Charter.**

The present Charter of the City of Lake City is hereby rescinded, revoked and abolished concurrent with the approval of this Charter by the electors of the City of Lake City, Florida at the election of April 5, 1977, except Section 142 relating to a park. This shall remain as an ordinance and the council may by resolution after approval of this Charter, delete this language relating to said park. This Charter shall be in full force and effect commencing with the date of its approval by the electors of the City of Lake City.

#### **Section 103. Boundaries.**

The boundaries of the City of Lake City shall be defined by ordinance of annexation having the latest effective date.

#### **Section 104. Continuation of certain provisions.**

All existing laws, ordinances, regulations and resolutions which are not inconsistent with this Charter shall remain in full force and effect.

#### **Section 105. Rights of officers and employees.**

(a) Nothing in this Charter or any amendments properly made hereto, except as otherwise specifically provided, shall affect or impair the rights or privileges of persons who are city officers or employees at the time of adoption of this Charter or any amendment. Elected officers shall continue to hold their offices and discharge the duties thereof until their successors are elected and qualified.

(b) The terms of office of the councilmembers, including the mayor-councilmember, serving at the time of the special election of June 20, 1978, shall expire and terminate upon approval of Ordinance A-389 by a majority of the electors of the city so voting at said special election and upon their successors being elected and taking office.

(Ord. No. A-389, § 1(A), 5-15-78)

## **ARTICLE II. POWERS OF THE CITY**

### **Section 201. Powers of the city.**

The City of Lake City shall have all rights and powers of local self-government which are now, or hereafter may be[,] provided by the United States Constitution and the Constitution and Laws of Florida and this Charter, including but not limited to the following:

- (a) To organize and regulate its internal affairs and to establish, alter, abolish and terminate offices, positions and employments including citizen board positions; define functions, powers and duties and fix their term, tenure and composition.
- (b) To adopt, amend and repeal such ordinances and resolutions and codes as may be required for the good government of the city.
- (c) To acquire by purchase, gift, devise, condemnation, or otherwise, property, real or personal, or any estate therein, within or without the city, to be used for any purpose necessary or to meet the needs of the city, and to operate, maintain, repair, improve, any and all properties, real or personal, streets, sidewalks, and the like by the expenditure of the monies of the city for all lawful purposes.
- (d) To raise funds by taxation and to make such levy upon the taxable property of the City of Lake City, and by license and tax upon privileges, businesses, occupations and professions whatsoever carried on and engaged in within the corporate limits of the city, such sums of money as the city council, hereinafter provided for, shall deem necessary for the purposes and needs of the city and in such manner as shall be provided by ordinances of the said city council. Such fees and taxes to be consistent with Florida Statutes.
- (e) To appropriate and expend money for any public purpose.
- (f) To borrow money for public purposes.
- (g) To levy special assessments upon property in a limited and determinable area for special benefits conferred upon such property by any municipal work, service or improvement; and to provide for the payment of all or any part of the cost of the work, service or improvement, out of the proceeds of such special assessments.
- (h) To levy special or local assessments for local improvements and to hold liens for public purposes.
- (i) To purchase, hire, construct, own, operate, maintain or lease local public utilities, including, but not limited to, bus lines, electric light and power, telephone and telegraph systems, and works for supplying the city and its inhabitants with water, sewerage, gas for heating or other purposes. To fix and collect just and reasonable fees and charges for the services furnished by such facilities. To exercise jurisdiction, control and supervision over any municipal utilities, owned, operated, franchised, leased, or maintained by the city.

(j) To grant a franchise to any private corporation or person for the use of streets and other public places in the furnishing of any public service to the city and to its inhabitants.

(k) To construct, acquire, operate, maintain, improve or extend public improvements and projects for any public purpose to include but not limited to the following: Public buildings, streets, alleys, sidewalks, avenues, boulevards, lanes and promenades, drainage systems including both off-street and on-street facilities, garbage, sewerage and other waste collections and disposals including an establishment of fees for same. To regulate the speed and operation of any vehicle on public lands and vessels on waterways.

(l) To compel the abatement and/or the removal of all nuisances within the city or upon property owned by the city beyond its limits.

(m) To establish and administer housing, urban renewal programs, conservation, flood controls, air pollution controls and drainage programs either singly or in cooperation with governmental agencies and private enterprise in the development and operation of these programs.

(n) To establish departments or systems.

(o) To sue and be sued. To have a corporate seal, to contract and be contracted with, to have the power of eminent domain.

(p) To establish, promulgate and implement a policy and program of affirmative action to provide equal employment opportunity for affected classes who have been underemployed due to their race, color, national origin, sex, [or] marital status.

(Ord. No. A-496, § 1, 8-16-82)

### **Section 202. Construction.**

The powers of the city under this Charter shall be construed liberally in favor of the city, and specific mention of particular powers in this Charter shall not be construed as limiting in any way the general power stated in this article.

### **Section 203. Intergovernmental relations.**

The city may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation by contract or otherwise, with any one or more states or divisions or agencies thereof, or the United States or any agency thereof.

## **ARTICLE III. CITY COUNCIL**

### **Section 301. Composition; eligibility; districts; election and terms of office.**

(a) *Composition.* There shall be a city council of five (5) members elected by the qualified voters of the city. The council positions are as follows: Mayor-councilmember; councilmember, District 10; councilmember, District 12; councilmember, District 13; and councilmember, District 14.

(b) *Eligibility.* Only qualified voters who have resided in the city for a minimum of six (6) months prior to their election, and are eighteen (18) years or older shall be eligible to hold office, and all councilmembers, except the mayor, shall have resided in the district which they represent at least thirty (30) days prior to the time they qualify for office.

(c) *Districts.* The several districts of the city are defined as follows:

(1) District ten (10) shall consist of and embrace all of the territory or area of the city lying and being north of Duval Street and east of Marion Street.

(2) District twelve (12) shall consist of and embrace all of the territory or area of the City lying and being north of U.S. Highway No. 90, also designated as Florida State Highway No. 10, as located on the effective date of the adoption of this Section 301(c) of this Charter, and west of Marion Street.

(3) District thirteen (13) shall consist of and embrace all of the territory or area lying and being south of U.S. Highway No. 90, also designated as Florida State Highway No. 10, as located on the effective date of the adoption of this Section 301(c) of this Charter, and west of Marion Street.

(4) District fourteen (14) shall consist of and embrace all of the territory or area of the city lying and being south of Duval Street and east of Marion Street.

(d) *Election and terms.*

(1) The regular election of the city councilmembers shall be held on the same day established by the State of Florida for the first state primary election.

(2) The mayor-councilmember and the councilmembers from Districts twelve (12) and thirteen (13) shall be elected in 1978 for a two-year term. In 1980 and every four (4) years thereafter, the mayor-councilmember and councilmembers from Districts twelve (12) and thirteen (13) shall be elected for four-year terms. The councilmembers from Districts ten (10) and fourteen (14) shall be elected in 1978 and every four (4) years thereafter for four-year terms.

(3) The mayor-councilmember shall be elected at large by all the electors of the city. The councilmembers from Districts ten (10), twelve (12), thirteen (13) and fourteen (14) shall be elected by the electors residing within their respective districts.

(e) *Revisions of districts.* In October 2005, and at least every five (5) years thereafter, the council shall review the boundaries of the four (4) separate districts of the city as established by Section 30 (c), for the purpose of determining the number of registered voters in each of the separate districts. Following each such review, the council may, in its discretion, by ordinance, redefine the boundaries of each of the separate districts to insure that each has approximately the same number of registered voters.

(Ord. No. A-389, § 1(B), 5-15-78; Ord. No. A-390, § 1, 5-15-78; Ord. No. A-496, § 1, 8-16-82; Ord. No. 92-716, § 1, 7-6-92; Ord. No. 2002-957, § 1(a), 7-15-2002)

## **Section 302. General powers and duties.**

- (a) All powers of the city shall be vested in the city council, to be also known as "council," except as provided by law or this Charter.
- (b) Three (3) councilmembers shall be considered a quorum and may carry out all functions according to law as if all members were present.
- (c) At the first council meeting after each regular city election and annually thereafter, the council shall elect one of its members as vice-mayor. The mayor shall preside at meetings of the council and shall be considered a member of the council, shall be recognized as head of city government for all ceremonial purposes, by the governor for purposes of military law, for service of process, execution of contracts, deeds and other documents and agreements with other governmental entities or certifications to other governmental entities. He shall annually prepare a state of the city message, prepare an annual budget message, set forth the agenda for all meetings of the council, name committees of the council and appoint members of the city boards with the approval of the council. He shall have no other administrative duties except as required to carry out the responsibilities herein. The vice-mayor shall act as mayor during the absence or disability of the mayor. In case of the death, resignation or removal of the mayor, the vice-mayor shall serve as mayor until the next regular or special election when the office shall be filled. In case of the death, resignation or removal of the vice-mayor or his assumption of the office of mayor, the council shall elect one of its members to serve the unexpired term of the vice-mayor.
- (d) The council shall have the authority by ordinance to set the annual salary of the mayor, councilmembers and its members.

(Ord. No. A-444, § 1, 2-18-80)

## **Section 303. Prohibitions.**

- (a) *Holding other office except as authorized by law.* No councilmember shall hold any other city office or employment (other than mayor or vice-mayor) during the term for which he is elected to office.
- (b) *Appointment and removals.* Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.
- (c) *Interference with administration.* Except for the purpose of inquiries and investigations, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the council from closely scrutinizing by questions and personal observation, all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the council. It is the express intent of this Charter, however, that recommendations for improvement in city government operations by individual

councilmembers be made to and through the city manager, so that the manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.

**Section 304. Vacancies, forfeiture of office; filling of vacancies.**

(a) *Vacancies.* The office of a councilmember shall become vacant upon his death, resignation, removal from office in any manner authorized by law or forfeiture of his office, such forfeiture to be declared only by the remaining members of the council.

(b) *Forfeiture of office.* The council shall declare a council seat forfeited if the council by majority vote finds that a council member:

- (1) Lacks at any time during his or her term of office any qualification for the office prescribed by this Charter, or by law;
- (2) Violates any express prohibition of this Charter;
- (3) Is absent from three (3) consecutive regular meetings of the council without being excused by the council;
- (4) Is guilty of committing a felony;
- (5) Is guilty of engaging in conduct which violates acceptable

standards of moral behavior where such conduct involves moral turpitude or would constitute a crime under the laws of Florida, or if such conduct was engaged in by a judge of any of the state courts would cause such judge to be removed from office.

(c) *Filling of vacancies.* A vacancy in the office of mayor-councilmember should be filled as follows:

- (1) If more than eight (8) months remain in the term of office, the council shall schedule a special election to be held not sooner than sixty (60) days nor more than ninety (90) days following the occurrence of the vacancy.
- (2) If less than eight (8) months remain in the term of office, the council shall, within sixty (60) days from the date the vacancy occurred, by a majority vote of the remaining members, choose a successor to serve said unexpired term of the vacated council seat. If the vacated seat is that of the vice-mayor, upon appointment or election of the new councilmember, whichever first occurs, the council shall elect one of their members to hold the position so vacated. Under no circumstances shall the service of the vice-mayor in the capacity of mayor during an interim vacancy in the office of mayor be deemed to create a vacancy in the council seat occupied by said vice-mayor. A vacancy in the office of councilmembers other than mayor shall be filled as follows:

- (1) If more than two (2) years and sixty (60) days remain in the term of office, the council shall forthwith call a special election to be held at the next regular city election where said seat shall be filled for the remaining term.

- (2) If less than two (2) years and sixty (60) days remain in the term of office, the council shall within sixty (60) days from the date the vacancy

occurred, by a majority vote of the remaining members, choose a successor to serve said unexpired term of the vacated council seat.

If the vacated seat is that of the vice-mayor, upon appointment or election of the new councilmember, whichever first occurs, the council shall elect one of their members to hold the position so vacated.

(d) *Extraordinary vacancies.* In the event that all members of the council are removed by death, disability, law or forfeiture of office, the governor shall appoint an interim council that shall call a special election to be held not sooner than sixty (60) days nor more than ninety (90) days following the appointment of the interim council. Said interim council may, by emergency ordinance, establish procedures for said election, where in their opinion, the same are necessary to effectuate the intention of this Charter.

(Ord. No. A-444, § 1, 2-18-80; Ord. No. A-496, § 1, 8-16-82; Ord. No. 2002-957, § 1(b), 7-15-2002)

### **Section 305. Judge of qualifications.**

The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing. Decisions made by the council under this section shall be subject to review by the courts.

### **Section 306. Duties of the city clerk.**

The council shall appoint a city clerk. The city clerk shall give notice of council meetings to its members and the public and shall keep the journal of its proceedings which shall be public record, and perform such other duties as the council may from time to time assign.

### **Section 307. Investigations.**

The council may make investigations into the affairs of the city and the conduct of any city department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be guilty of a misdemeanor and punished by a fine or imprisonment or both.

### **Section 308. Independent audit.**

The council shall provide for an independent annual audit of all city accounts and may provide for such more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the city government or any of its officers. The council may

designate such accountant or firm annually or for a period not exceeding three (3) years provided that the designation for any particular fiscal year shall be made no later than thirty (30) days after the beginning of such fiscal year. If the state makes such an audit, the council may accept it as satisfying the requirements of this section.

### **Section 309. Procedure.**

(a) *Meetings.* The council shall meet regularly at least once in every month, or such times and places as the council may prescribe by law. Special or emergency meeting may be held on the call of either the mayor, vice-mayor, city manager, or three or more members of the city council and, whenever practicable, upon no less than twelve (12) hours written notice to each member of the council.

(b) *Rules and journal.* The council shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record.

(c) *Voting.* Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. Three (3) members of the council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the council. No action of the council except as otherwise provided in the preceding sentence and in this Charter shall be valid or binding unless adopted by the affirmative vote of the majority of the entire councilmembers.

(Ord. No. 2002-957, § 1(c), 7-15-2002)

## **ARTICLE IV. CITY MANAGER**

### **Section 401. Appointment; qualifications; compensation.**

The council shall appoint a city manager for an indefinite term and fix his compensation. The manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the city or state at the time of his appointment but may reside outside the city while in office only with the approval of the council.

### **Section 402. Removal.**

The council may remove the manager from office in accordance with the following procedures:

(a) The council shall adopt by affirmative vote of a majority of all its members, a preliminary resolution which must state the reasons for removal and then may suspend the manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered by the council to the manager within three (3) days.



(b) Within five (5) days after a copy of the resolution has been delivered by the council to the city manager, he may file with the council a written request for a public hearing. This hearing shall be held by the city council not earlier than fifteen (15) days, nor later than thirty (30) days, after the request is filed. The city manager may file with the council a written reply not later than five (5) days before the hearing.

(c) The council may adopt a final resolution of removal, which may be made effective immediately by affirmative vote of a majority of all its members, at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the manager, if he has not requested a public hearing, or at any time after the public hearing if he has requested one.

(d) The manager shall continue to receive his salary until the effective date of a final resolution of removal.

### **Section 403. Acting city manager.**

Subject to approval of the council, the manager shall designate, by letter filed with the city clerk, a qualified city administrative officer to exercise the powers and perform the duties of manager during his temporary absence or disability. During such absence or disability, the council may revoke such designation at any time and appoint another officer of the city to serve until the manager shall return or his disability shall cease.

### **Section 404. Powers and duties of the city manager.**

The city manager shall be the chief administrative officer of the city. He shall be responsible to the council for the administration of all city affairs placed in his charge by or under this Charter. He shall have the following powers and duties:

(a) He shall appoint, and when he deems it necessary for the good of the service, suspend or remove all city employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. He 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.

(b) He shall direct and supervise the administration of all departments, officers, and agencies of the city, except as otherwise provided by this Charter or by law, and perform his duties without regard to race, color, creed, or national origin.

(c) He shall attend all council meetings and shall have the right to take part in discussion, but shall not vote.

(d) He shall see that all laws, provisions of this Charter and acts of the council, subject to enforcement by him or by officers subject to his direction or supervision, are faithfully executed.

(e) He shall prepare and submit the annual budget and capital improvement program to the council.

(f) He shall submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year.

(g) He shall make such other reports as the council may require concerning the operations of city departments, offices and agencies subject to his direction and supervision.

(h) He shall make such recommendations to the council concerning the affairs of the city as he deems desirable.

(i) He shall perform such other duties as are specified in this Charter or as may be required by the council.

(Ord. No. 2002-957, § 1(d), 7-15-2002)

## **ARTICLE V. REGISTRATION AND ELECTIONS**

### **Section 501. County registration books adopted; qualified electors.**

City of Lake City, in every municipal election, including referendum, special, primary and general elections does hereby adopt and shall use the registration books and records authorized by law to be used in the general elections of Columbia County and State of Florida, as the official registration books and records of the City of Lake City. An elector to vote in any city election shall register in the registration books and records of Columbia County, Florida, in the manner and at such times and places as provided by law for registering of electors to vote in state and county elections.

### **Section 502. Designation of polling places.**

The city council, by resolution, shall have the right to establish, locate and relocate polling place or places within each separate election district to be designated as voting places for the holding of any and all municipal elections. In designating such polling place or places, the council shall consider only such places as are convenient to the majority of the people residing in each respective district and all such places must otherwise comply with all of the requirements of this Charter and the election laws of Florida.

(Ord. No. A-496, § 1, 8-16-82)

### **Section 503. City clerk to represent city in matters relating to registration.**

The city clerk of the City of Lake City shall be [the] official representative of the city and the city council in all transactions with the supervisor of elections of Columbia County, Florida, in relation to matters pertaining to the use of registration books and records herein mentioned for holding such municipal elections.

#### **Section 504. No additional power granted county.**

Nothing contained in this article shall be construed to confer any jurisdiction, power or authority on the board of county commissioners of Columbia County, Florida, over the holding and conducting of any municipal election of the City of Lake City, Florida.

#### **Section 505. Absentee voting.**

Absentee voting shall be permitted in all municipal elections in the same manner as now or hereafter provided for in The Florida Election Code (F.S. ch. 97 et seq.).

(Ord. No. A-444, § 1, 2-18-80)

#### **Section 506. General laws to apply.**

All general laws of the State of Florida relating to elections and registration of persons qualified to vote therein which are not inconsistent or in conflict with the provisions hereof or the ordinances of the city, shall be applicable to the City of Lake City.

#### **Section 507. City elections, date and nonpartisan.**

Regular elections. The regular city election shall be held on the same day established by the State of Florida for the first state primary election beginning with the year 1978. All city elections shall be nonpartisan.

(Ord. No. A-389, § 1(C), 5-15-78; Ord. No. A-390, § 2, 5-15-78)

#### **Section 508. Qualifications.**

In addition to those qualifications listed in Article III, Section 301(b), any person seeking to qualify as a candidate for election to a seat on the city council shall qualify for his or her respective seat by filing a written notice of his or her candidacy with the city clerk at any time after noon on the first day of qualifying for nomination or election to the respective council seat which he or she seeks, which shall be the 50th day prior to the day established by the laws of Florida for the first primary of state and county elections, but not later than noon on the 46th day prior to the date of the first primary. Except as otherwise provided for herein, each candidate shall, at the time of filing notice of his or her candidacy, pay to the city clerk a qualifying fee equal to six percent of the annual salary of the council seat sought. Alternatively, in lieu of paying any qualifying fee, a person seeking to qualify as a candidate for nomination or election for any of the designated seats of the city council to be filled, including the office of mayor-councilmember, may qualify to have his or her name placed on the ballot by means of a petitioning process which would require a candidate for election to the respective council seat in the district that he or she seeks to obtain signatures on a petition of at least five percent of the total number of registered voters residing in such district, or with respect to a candidate for election to the office of mayor-councilmember, to obtain the signatures on a petition of at least five percent of the total number of registered voters in the city, as shown by the records of the

supervisor of elections of Columbia County for the last preceding city election. The requirements and procedures of the petitioning process shall be established by ordinance enacted by the city council.

(Ord. No. A-389, § 1(D), 5-15-78; Ord. No. 92-716, § 1, 7-6-92; Ord. No. 2002-957, § 1(e), 7-15-2002)

### **Section 509. Elections.**

(a) *Multiple candidates.* When two (2) or more persons qualify as candidates for any of the designated seats of the city council to be filled, including the officer of mayor-council member, the candidates' names who so qualified shall appear on the ballot and be voted upon at a regular city election to be held on the same day established by the State of Florida for the first state primary election. Should only two (2) persons have qualified for said regular election, then the person receiving the highest number of votes cast for the designated seat shall be declared elected to that seat. Should three (3) or more persons have so qualified, the candidate receiving a majority of the votes cast for said seat shall be declared elected to that seat; providing, however, that if no candidate receives a majority of the votes cast, then the two (2) candidates receiving the highest number of votes cast for the designated seat on the city council shall be declared candidates for each of such designated seats and shall be voted upon at a runoff city election to be held either:

- (i) On the same day established by the State of Florida for the second state primary election; or
- (ii) If there be no second state primary election, then on the same day established by the State of Florida for the state general election.

The person receiving the highest number of votes cast at such runoff city election shall be declared elected. Candidates elected at either the regular or runoff election to the designated seats shall assume office at noon following the day of the regular or runoff election and upon taking the proper oath of office.

(b) *Single candidates.* In the event not more than one person qualifies as a candidate for a designated seat on the city council or mayor-councilmember to be filled at an election, that seat shall not be listed on the election ballot. Each unopposed candidate shall be deemed to have voted for himself.

(Ord. No. A-389, § 1(E), 5-15-78; Ord. No. A-390, § 3, 5-15-78; Ord. No. 92-716, § 1, 7-6-92; Ord. No. 2002-957, § 1(f), 7-15-2002)

### **Section 510. Calling an election by resolution.**

All elections shall be called by resolution of the city council, adopted not less than thirty (30) days before such election, and shall be conducted, unless otherwise specifically provided for herein, under the provisions of the general election laws of the state, when not inconsistent with this Charter.

### **Section 511. Elections; how arranged for; inspectors and clerks.**

The city council shall make all necessary arrangements for holding of all city elections, and shall declare the result thereof. The city council shall appoint not less than three (3) inspectors and a clerk to each election board, all of whom shall be qualified city electors. The city council shall state in the resolution calling each election where the same shall be held, the names of inspectors and clerks appointed, and the names of the different offices to be filled or questions to be decided, and shall cause notice of said election to be published once at least ten (10) days before any election in a newspaper of general circulation in the city.

### **Section 512. Canvass of return.**

On the day succeeding the election, at twelve o'clock noon the mayor shall call the councilmembers together and they shall receive such returns of election and publicly shall proceed to canvass the votes of the election. They shall compile the votes of the election entirely from the returns of inspectors as signed and filed with the mayor and the city auditor and clerk, and in no case shall they change or vary in any manner the number of votes cast for the candidates, as shown by the returns of the inspectors, and the city council shall publicly declare the result.

### **Section 513. Oath of office.**

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city auditor and clerk; which oath shall be in the form prescribed for state officers by the Constitution of the state.

## **ARTICLE VI. GENERAL PROVISIONS**

### **Section 601. Organization of boards and commissions.**

Boards and commissions created in accordance with this Charter shall elect their officers from the appointed or elected members and shall determine their rules of procedure subject to the provisions of this Charter that apply. Any vacancy on an elected board or commission shall be filled by appointment by a majority vote of the council.

### **Section 602. Effect of partial invalidity.**

A determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

### **Section 603. City attorney.**

The council shall appoint a city attorney and such assistant city attorneys as it deems necessary who shall act as legal advisors to the city and all of its officers in matters relating to their official duties. The city attorney shall approve all contracts of the municipality before the same shall become effective, which approval shall appear on every city contract signed by the city attorney.

#### **Section 604. State laws as amended.**

All references to specific state law shall be construed to mean such state laws as amended.

#### **Section 605. Charter review.**

In November 2000, and at least every ten (10) years thereafter, the council shall appoint a charter review board consisting of five (5) electors of the city holding no other office, appointment or employment in the government of the City of Lake City except on advisory bodies of the city. Such board shall review the Charter, and within ninety (90) days after such appointment, recommend to the council such alterations, revisions, and amendments, if any, to this Charter, as in its judgment are desirable. All amendments proposed by the Charter review board must be presented by the city council to the electorate at the next general or special election unless submitted to the council within sixty (60) days of said election. The term of a member's appointment to the Charter review board shall expire thirty (30) days after the Charter is presented to the electorate. The members appointed to said board shall serve without compensation.

(Ord. No. 92-716, § 1, 7-6-92)