

**SATELLITE BEACH**  
**OFFICIAL CODE OF ORDINANCES**

**PART I. CHARTER**  
**ARTICLE II. CITY COUNCIL**

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# SATELLITE BEACH

## ARTICLE II. CITY COUNCIL

### § 2.01. Definition

The term "councilmembers" means all members of the city council, including the mayor.

(Ord. No. 1019, § 1, 11-3-09)

### § 2.02. Powers and duties generally

(1) Except as otherwise provided by law or this Charter, all powers of the city shall be vested in the city council, which shall exercise the powers granted, and perform the duties imposed on, the city by law and this Charter.

(2) The city council shall judge the qualifications and grounds for removal of its members. For this purpose, the city council shall have the power to subpoena witnesses and evidence. The city council's decision shall be subject to review by the courts.

(Ord. No. 1019, § 1, 11-3-09)

### § 2.03. Prohibitions

(1) *Holding other city office.* Councilmembers shall not hold any other city office, whether paid or unpaid, during their city council term.

(2) *Interference in city administration.* The city council and its individual members shall not direct or request any personnel action regarding any city employee whom the city manager or his/her subordinates are empowered to hire, nor shall they interfere in any manner with city administration. However, the city council and its individual members may freely discuss any personnel matter with the city manager and make any recommendation to the city manager for improvement in city government operations. In addition, individual members may question and observe all aspects of city government operations to obtain information to help formulate sound city council policies. It is the intent of this section that all interactions between councilmembers and city personnel regarding city government business shall occur through the city manager.

(Ord. No. 1019, § 1, 11-3-09)

### § 2.04. Membership and qualifications

(1) The city council shall consist of four members and a mayor elected at-large by the city's voters. Councilmembers, whether elected or appointed, must be registered voters who have resided in the city for at least one year before they qualify for office.

(2) To qualify for office, candidates must file the following with the city clerk during the qualifying period designated in the city code: a petition signed by ten registered city voters, a filing fee designated in the city code, and a sworn statement of his/her name, residential address, occupation, and willingness to serve the full term if elected.

(Ord. No. 1019, § 1, 11-3-09)

### § 2.05. Terms

(1) Beginning in the presidential election year of 2012 for the mayor and two other councilmembers and in the gubernatorial election year of 2014 for the remaining two councilmembers, all councilmembers shall be elected to a four-year term of office.

(2) No councilmember who is completing two consecutive elective terms shall be eligible for election or appointment to the city council, and no person shall serve more than ten consecutive years in the office of mayor, or councilmember, or combination of the two offices. A period of two years must elapse before a former councilmember shall be eligible for reelection; a period of one year must elapse before a former councilmember shall be eligible for appointment.

(3) Councilmembers shall take office at the start of new business at the first regular city council meeting following the meeting held to accept the election results from the supervisor of elections. Councilmembers shall continue to hold their offices and discharge their duties until their successors are installed.

(Ord. No. 1019, § 1, 11-3-09)

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## § 2.06. Compensation

Councilmembers shall serve without salary, but shall be compensated for expenses as provided in the city code.

(Ord. No. 1019, § 1, 11-3-09)

## § 2.07. Elections

Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacant seats.

(Ord. No. 1019, § 1, 11-3-09)

## § 2.08. Vacancies

- (1) A vacancy shall occur upon the death, resignation, forfeiture of office, or lawful removal of a councilmember.
- (2) *Councilmember*. No later than 30 days after a vacancy occurs in the seat of a councilmember other than mayor, the city council shall appoint a replacement to serve until the next regular election.
- (3) *Mayor*. No later than 30 days after a vacancy occurs in the mayor's seat, the city council shall:
  - (a) appoint one of the remaining councilmembers to serve as mayor until the next regular election; and
  - (b) appoint a replacement for the councilmember who was appointed mayor, to serve until the next regular election.
- (4) *Vacancies precluding quorum*. Any time the city council is reduced to fewer than three members, the city shall:
  - (a) immediately request the governor to temporarily appoint from a list of all former councilmembers residing in the city, regardless of whether they meet the provisions of [section] 2.05(2), a sufficient number to constitute a five-member city council, and
  - (b) conduct a special election no later than 90 days after the occurrence of the vacancy which triggers the special election. The winners of the special election shall serve the remainder of the unexpired terms.
- (5) *Candidate*. Following the end of the qualifying period, if a vacancy occurs from the death, withdrawal, or removal from the ballot of a qualified candidate, and the vacancy leaves only one candidate for an office, the remaining candidate shall be deemed elected.

(Ord. No. 1019, § 1, 11-3-09)

## § 2.09. Grounds for removal

The office of a councilmember shall be forfeited whenever at least four of the five councilmembers determine that a member:

- (1) Ceases to be a registered voter residing in the city;
- (2) Is convicted of a misdemeanor involving moral turpitude or any felony;
- (3) Commits an act constituting malfeasance, misfeasance, or neglect of duty;
- (4) Is permanently unable to perform official duties; or
- (5) Is absent from four consecutive regular city council meetings or from one-third of the regular city council meetings during any 12-month period for any reason.

(Ord. No. 1019, § 1, 11-3-09)

## § 2.10. Duties of mayor and vice-mayor

- (1) The mayor shall be a voting member and the presiding officer of the city council, as well as the head of the city for purposes of ceremonies, service of civil process, and martial law. Unless otherwise provided by law, this Charter, or the city council, the mayor shall execute instruments in which the city is authorized to be a party by the city council.
- (2) As prescribed by the city council, the city council shall select from its membership a vice-mayor who shall serve as mayor in the mayor's absence.

(Ord. No. 1019, § 1, 11-3-09)

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## **§ 2.11. City council meetings**

(1) *Regular meetings.* The city council shall meet regularly at least once each month at such time and place as it may prescribe. Except as otherwise provided by law, all city council meetings shall be open to the public.

(2) *Special meetings.* Special meetings, which must be limited to the subject(s) specified on the agenda, may be convened by the mayor, any three councilmembers, or the city manager upon at least 24 hours' notice to each councilmember and at least one newspaper of general circulation in the city.

(3) *Emergency meetings.* Emergency meetings may be called in the same manner as special meetings, except that prior public notice shall not be required. Emergency meetings shall be conducted as prescribed by the city council.

(4) *Rules.* The city council shall determine its own rules, including order of business and rules for expelling disorderly persons from its meetings.

(5) *Quorum.* Three members of the city council shall constitute a quorum to open a meeting, but a smaller number may require the attendance of absent members under procedures and penalties prescribed by the city council.

(6) *Voting.* Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes.

(7) *Minutes.* Minutes of city council meetings shall be kept by the city clerk.

(Ord. No. 1019, § 1, 11-3-09)