

**ORDINANCE NO. 1576**

**AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, PROPOSING VARIOUS AMENDMENTS TO THE CITY CHARTER; PROPOSING TO AMEND ARTICLES 2 AND 3 TO ADDRESS THE ROLE AND DUTIES OF THE ASSISTANT CITY MANAGER; PROPOSING TO AMEND ARTICLE 3 RELATED TO REMOVAL OF THE CITY MANAGER AND MANAGEMENT EVALUATIONS; PROPOSING TO AMEND ARTICLE 5 TO ADDRESS THE CONTENTS AND ACTION ON THE CITY BUDGET, AUTHORIZING THE CITY MANAGER TO MAKE EMERGENCY PROCUREMENTS UP TO \$100,000, PROVIDING FOR ELECTRONIC AND DIGITAL SIGNATURES, INCREASING THE CITY MANAGER'S PURCHASING AUTHORITY TO \$25,000, INCREASING THE THRESHOLD FOR COMPETITIVE PROCUREMENTS TO \$25,000, INCREASING THE MINIMUM PUBLICATION PERIOD FOR COMPETITIVE BIDS, EXPANDING THE CRITERIA FOR THE PIGGYBACKING OF CONTRACTS, INCREASING THE THRESHOLD THAT REQUIRES COMPETITIVE PROCUREMENT OF UTILITY PURCHASES TO \$100,000, PLACING A CAP OF \$50,000 ON SOLE SOURCE PURCHASES, AND ESTABLISHING AN EXEMPTION FROM COMPETITIVE PROCUREMENT FOR SOFTWARE AND IT-RELATED GOODS AND SERVICES; PROPOSING VARIOUS AMENDMENTS TO ARTICLE 6 REGARDING CIVIL SERVICE TO STREAMLINE THE CITY'S HIRING PROCESS AND REDUCE THE ROLE OF THE CIVIL SERVICE BOARD IN THAT PROCESS, AND AMENDING THE CAUSES FOR DISCIPLINE; PROPOSING TO AMEND ARTICLE 7 REGARDING THE QUALIFICATIONS OF CANDIDATES FOR CITY OFFICE TO INCREASE THE RESIDENCY REQUIREMENT; REPEALING ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING THAT THE AMENDMENTS PROPOSED SHALL BE EFFECTIVE ONLY UPON THE APPROVAL OF REFERENDUM AS SPECIFIED IN THE ORDINANCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:**

**SECTION 1. From and after the effective date of this ordinance, Section 2-4 of the**

Charter of the City of Panama City Beach, related to duties of the Mayor is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 2. - MAYOR AND CITY COUNCIL**

**Sec. 2-4. - Mayor.**

The Mayor shall be Chairperson of the City Council, and, as such, shall preside at all meetings of the City Council and shall have the right to vote on all matters considered by the City Council. The Mayor shall be recognized as the head of City government for ceremonial purposes, purposes of military law and the service of process upon the City. Upon authorization and designation by the City Council, the Mayor shall, represent the City in agreements with or certifications to other governmental entities and shall execute contracts, deeds and other documents. The Mayor shall have no administrative duties except those required to carry out the provisions of this Charter, **unless no whenever a City Manager or Assistant City Manager** has been duly appointed and is acting.

SECTION 2. From and after the effective date of this ordinance Section 3-3 of the Charter of the City of Panama City Beach, related to duties of the City Manager, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 3. - OFFICERS AND EMPLOYEES GENERALLY**

**Sec. 3-3. - City Manager—Creation of office; appointment; term; qualifications; compensation.**

There is hereby created the office of City Manager.

Prior to the appointment of a City Manager, by the City Council, and in the absence of an appointed City Manager, all duties and responsibilities of the office of City Manager, as defined herein, are vested in the **Assistant City Manager. In the absence of both a City Manager and Assistant City Manager, all duties and responsibility of the office of City Manager are vested in the** office of Mayor.

A City Manager may be appointed by the City Council for an indefinite term and shall serve at the pleasure of the City Council. The City Manager shall be chosen solely on the basis of his/her executive and administrative qualifications; provided, that he/she shall be no less than twenty-one (21) years of age. The City Manager shall establish residence within the corporate limits of the City of Panama City Beach no more than six (6) months after his/her appointment though he/she need not be a resident of the City or the state at the time of his/her appointment.

The City Manager shall receive such compensation as the City Council shall determine.

SECTION 3. From and after the effective date of this ordinance, Section 3-4 of the Charter of the City of Panama City Beach, related to removal of the City Manager, is

amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 3. - OFFICERS AND EMPLOYEES GENERALLY**

**Sec. 3-4. - Same—Removal.**

The City Manager may be removed from office by the City Council at any time, **with or without cause**. Upon demand by the City Manager, a public hearing shall be held prior to such removal **for cause**.

SECTION 4. From and after the effective date of this ordinance, Section 3-6 of the Charter of the City of Panama City Beach, designating the Acting City Manager, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 3. - OFFICERS AND EMPLOYEES GENERALLY**

**Sec. 3-6. - Acting City Manager and Assistant City Managers.**

~~The City Manager shall designate, subject to the approval of the City Council, a qualified City administrative officer to assume and exercise the powers and duties of his/her office during his/her temporary absence or disability. The person so elected shall be designated "acting City Manager." During the temporary absence or disability of the City Manager, the **Assistant City Manager shall** City Council may revoke such designation at any time and appoint another qualified administrative officer of the City to serve as acting City Manager until the return to duty of the City Manager. **Whenever no Assistant City Manager has been duly appointed and is acting, the City Manager shall designate a qualified City administrative officer to assume and exercise the powers and duties of his/her office during his/her temporary absence or disability.**~~

The City Manager may create the offices and titles of such Assistant City Managers as the City Manager determines are necessary for the effective administration of the City. Each Assistant City Manager shall be selected by the City Manager, serve at the pleasure of the City Manager and not be a member of Civil Service. The terms and conditions of employment of each Assistant City Manager shall be approved by the City Council.

SECTION 5. From and after the effective date of this ordinance, Section 3-8 of the Charter of the City of Panama City Beach, related to management evaluations, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 3. - OFFICERS AND EMPLOYEES GENERALLY**

**Sec. 3-8. - Management evaluations.**

The City Council ~~shall~~ **may**, at its discretion, provide for management evaluations of the **Charter Officers** administrative activities of the City. For this purpose, the City Council may select and

contract with a professional consultant specializing in such evaluations. All reports and recommendations of such consultant shall be directed to the City Council. The **City Attorney, City Clerk,** City Manager and his/her subordinate officers and employees shall cooperate fully with the consultant and shall make all accounts, records, reports and data available to him/her upon his request.

SECTION 6. From and after the effective date of this ordinance, Section 5-2 of the Charter of the City of Panama City Beach, related to Budget is amended to read as follows

(new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **ARTICLE 5. - FINANCIAL PROCEDURES**

##### **Sec. 5-2. - Budget.**

- (a) *Required.* No monies of the City shall be disbursed except in pursuance of appropriations made by the City Council.
- (b) *Preparation.* Prior to September 1 of each year, the City Manager shall prepare and submit to the City Council a proposed budget for the ensuing fiscal year. Such proposed budget shall contain a complete plan for all City funds and financial activities for the ensuing fiscal year and shall include such details and be in such form as required by this Charter, state law and the City Council. Such proposed budget shall show comparative figures of revenues and expenditures for the ensuing and current fiscal years, detailing the relationship of proposed expenditures to current expenditures in dollars and percentages, and thus showing any increase or decrease in the level of expenditure.
- (c) *Message of City Manager to Council.* When presenting the proposed budget to the City Council, the City Manager shall present a message to the City Council outlining **existing debt,** proposed financial policies, describing the features of the budget, explaining major changes in financial policies, expenditures and revenues from those in the budget for the current fiscal year, summarizing the City's current and overall financial position and including such other material and information as the City Council may require. The proposed budget shall be posted upon the City's official website.
- (d) *Public hearing.* Upon receipt of the proposed budget, the City Council shall call a public hearing to consider the criticisms, recommendations and suggestions of the citizens of the City relative to such proposed budget. In calling such public hearing, the City Council shall give at least one week's notice of the time, place and purpose of such public hearing by posting on a designated webpage noticed upon and linked to the landing page on the City's official website, and whenever and to the extent required by state law by publication once in a newspaper of general circulation within the City. A copy of the proposed budget shall be made available for public inspection at the office of the City Clerk for at least one week prior to the date on which the public hearing is scheduled.
- (e) *Action by Council.* After completion of the **final** public hearing, the City Council shall adopt the budget as submitted or after making such changes and amendments as it deems necessary for the proper and economical operation of City government. Final City Council action on the

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budget for the ensuing fiscal year shall be completed by September 30. **In the event the Council does not or cannot take final action on the budget by this date, the amounts appropriated for operations in the prior fiscal year shall be deemed adopted for the ensuing fiscal year.**

(f) *Amendment after adoption.* The City Council shall have the power to amend the budget at any time to utilize excess funds, to increase appropriations, to transfer funds or for any other purpose.

(g) *Emergency expenditures.* The City Council may authorize the City Manager **is authorized** to expend monies beyond those provided in the budget, for emergency purchases to procure necessary supplies and services to handle emergency circumstances which require immediate action for the protection of the health, safety or welfare of the City or a sector thereof, **in a cumulative amount not to exceed \$100,000.** The City Manager shall exercise such authority **with the concurrency of the Finance Director, and then** only in the manner and within the limits established by the City Council and only if a special meeting of the City Council is not possible. The City Manager shall report any such **emergency purchase(s)** expenditure at the next meeting of the City Council, whether it be a regular or special meeting.

SECTION 7. From and after the effective date of this ordinance Section 5-5 of the Charter of the City of Panama City Beach, related to facsimile signatures is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **ARTICLE 5. - FINANCIAL PROCEDURES**

##### **Sec. 5-5. - Facsimile signatures.**

The use of **digital or electronic** ~~mechanically applied facsimile~~ signatures shall be **permitted for limited** to such purposes and subject to such limitations and restrictions as the City **Manager** ~~Council~~ may prescribe.

SECTION 8. From and after the effective date of this ordinance, Section 5-6 of the Charter of the City of Panama City Beach, related to contracts, licenses and permits, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **ARTICLE 5. - FINANCIAL PROCEDURES**

##### **Sec. 5-6. - Contracts, licenses, permits, etc.**

No promise or representation of any kind by any officer or employee of the City shall be binding upon or enforceable against the City nor create an estoppel, an implied contract or any liability against or upon the City, unless ratified or embodied in a contract, permit, license, approval, consent or other instrument issued pursuant to and in accordance with an ordinance or resolution of the City.

Every contract made by or on behalf of the City shall be in writing, approved as to form and legality by the City Attorney, approved by the City Council, signed by the City Manager and attested by the City Clerk. **A person other than the City Manager may be authorized to execute a contract on behalf of the City only upon express approval memorialized in a resolution adopted by the City Council.**

Notwithstanding the foregoing, the City Manager, with attestation by the City Clerk, is authorized to enter contracts in writing by or on behalf of the City requiring the expenditure of not more than **twenty-five** ~~ten~~ thousand dollars **(\$25,000)** ~~(\$10,000.00)~~; provided that no contract or purchase or the quantity thereof shall be split for the purpose of avoiding or exceeding the limit of this authorization.

SECTION 9. From and after the effective date of this ordinance, Section 5-7 of the Charter of the City of Panama City Beach, related to Competitive Bidding is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **ARTICLE 5. - FINANCIAL PROCEDURES**

##### **Sec. 5-7. - Competitive bidding.**

- (a) *Required.* No purchase by or on behalf of the City requiring the expenditure of **twenty-five** ~~ten~~ thousand dollars **(\$25,000)** ~~(\$10,000.00)~~ or more shall be awarded, let or made except through competitive bidding after the advertisement for the bids in the form and manner prescribed in this Charter. No purchase or the quantity thereof shall be split for the purpose of avoiding the requirements of this section.
- (b) *Publication of request for bids.* Published notice of each intended purchase by competitive bid shall be posted on a designated web-page **or other digital platform** noticed upon and linked to the landing page on the City's official web site for **21 consecutive days** ~~two consecutive weeks~~ prior to the opening date of the bid, ~~or published in a newspaper of general circulation within the City once each week for two consecutive weeks prior to the opening date of the bid.~~ In addition to the posting requirements of this section, the City Council may direct the City Manager to notify, by whatever means it chooses, additional potential suppliers of such requests for bids whenever the City Council determines that the website posting requirement of this section is inadequate to produce sufficiently competitive bidding. In emergency circumstances, notification time on the request may be shortened by the City Manager.
- (c) *Contents of request for bids.* Each request for the submission of bids shall contain an acceptance clause granting the City a minimum of **forty-five (45)** ~~thirty (30)~~ days in which to accept or reject the bid, during which time the tendered bid shall remain valid. The request for the submission of bids may contain a requirement that the bidder provide a performance bond in the full amount of the contract price and may further contain such other specifications and declarations as the City Council shall determine necessary for the proper evaluation of the bidder's proposal and qualifications.
- (d) *Awards.* The City Council shall award the contract to the lowest fully responsive and

responsible bidder; provided, that the City Council may award the contract to a bidder other than the lowest bidder should it find that the lowest bidder does not offer the reliability, quality of service or product afforded by such other bidder. Where a bid other than the lowest bid is taken, the City Council shall state the reasons upon which such award was made.

(e) *Rejection and resubmission for bids.* The City Council may reject all submitted bids and provide for the request of additional bids whenever it finds that the bids submitted are not responsive to the request for bids, that the bids are not responsible or that the bid prices are unacceptable. Requests for such additional bids shall comply with the provisions of this section.

(f) *Purchases on failure to receive bids.* Where no bids are received and the Council determines that additional requests for bids are unlikely to produce responses, the City Council may authorize the purchase, at the best obtainable price determined through direct quotation, of such products or services as are available on the open market.

(g) *Professional services.* Contracts for professional services, including but not limited to architects, attorneys, accountants, engineers and surveyors, may, upon approval by the City Council, be entered into without competitive bidding. The City Council shall review the qualifications, work history and other relevant data before contracts for such services are rendered. The Consultants' Competitive Negotiation Act shall be followed where applicable.

(h) *Emergency purchases.* The City Council may substitute competitive quotes for the competitive bidding required by this section upon a finding by extraordinary vote that a public emergency exists making the bid delay contrary to the public interest.

(i) *Piggybacking.* Notwithstanding the foregoing, a purchase of goods made by or on behalf of the City on the same terms and conditions as were obtained by **a federal, state or municipal government or cooperative purchasing entity of which the City is a member the United States of America, the State of Florida, or a county, municipality or special district of the State of Florida,** through an advertised, competitive bidding process in which bids were opened within one year prior to purchase by or on behalf of the City shall be deemed to be made through competitive bidding under this Charter, **provided the contract to be piggybacked is in full force and effect at the time of the City's purchase.**

(j) *Purchase of Goods for Utilities.* Notwithstanding the foregoing, a purchase by or on behalf of the City of goods **or services, or both,** which are to be used exclusively for the operation or maintenance of the City's potable water, stormwater, reuse-water or wastewater utility, or any combination of those utilities, and requiring the expenditure of not more than **\$100,000** ~~\$25,000~~ may be made by substituting competitive quotes for competitive bidding if required. No purchase or the quantity thereof shall be split for the purpose of avoiding the requirements of this section. This authorization shall not be utilized in conjunction with a construction or other service contract that requires competitive bidding

(k) *Sole Source.* Notwithstanding the foregoing, the City Council may authorize any purchase of goods **requiring an expenditure of not more than \$50,000** without competitive bid when the City Council finds that the goods are to be used exclusively for the operation or maintenance of the City's potable water, stormwater, reuse-water or wastewater utility, or any combination of those utilities, that the goods are to replace a specialized, mechanical or electrical component of the utility, and that the goods are only available from a sole source of supply. The fact that the

new component may increase capacity shall not disqualify this authorization. This authorization shall not be utilized in conjunction with a construction or other service contract that requires competitive bidding.

**(l) Exemptions to competitive procurement requirements. The competitive procurement requirements of this Section shall not apply to: a) maintenance and service of information technology software when the maintenance or services will be performed by the software manufacturer, the manufacturer's service representative or by a distributor of the manufacturer; b) contracts to acquire proprietary software that is custom made and specifically designed for city use; or c) purchases of goods or services necessary to prevent or address a cyber-attack or damage or loss of public records.**

SECTION 10. From and after the effective date of this ordinance, Article 6 of the Charter of the City of Panama City Beach, related to Civil Service is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

#### **ARTICLE 6. - CIVIL SERVICE**

##### **Sec. 6-1. - Board of Civil Service Commissioners.**

(a) *Continuation of present board.* The Board of Civil Service Commissioners for the City, established by [Section 12](#) of Chapter 70-874, Special Laws of Florida, shall continue as presently constituted. The members of the Board of Civil Service Commissioners shall continue to hold office as provided in said Act until their successors have been selected and have taken office pursuant to this section.

(b) *Composition; qualifications and selection of members.* The Board of Civil Service Commissioners shall be composed of **not less than three (3) and no more than five (5)** members who shall be qualified electors of the City of Panama City Beach and who shall be selected as follows: one member shall be named and designated by the City Council during the first fifteen (15) days of September of each year; one member shall be named and designated by the employees affected by the provisions of this article during the first fifteen (15) days of September of each year; and one member shall be named and designated during the last fifteen (15) days of September of each even-numbered year by the four (4) members then serving.

(c) *Terms.* The term of office for each member of the Board of Civil Service Commissioners, elected to office as prescribed herein, shall be for two years beginning the first Wednesday in October of the year in which he/she was elected and terminating at midnight or the day preceding the first Wednesday of October of the second year.

(d) *Vacancies.* Whenever vacancies occur in the office of Civil Service Commissioners by death, resignation or otherwise, a successor shall be elected in the same manner as that in which the position was filled originally. Such successor shall be elected to serve for the unexpired term of his/her predecessor in office. ~~Such vacancy shall be filled no more than fifteen (15) days after such vacancy occurs.~~



(e) *Ineligible persons.* No person who has been convicted of a felony or who is an officer or employee of the City shall be eligible to hold office as a Commissioner of Civil Service.

(f) ~~**Reserved. Compensation.** Each Civil Service Commissioner named under this section as provided herein shall receive as compensation for his/her services the sum of one hundred twenty dollars (\$120.00) per annum.~~

(g) *Staff.* The City shall secure such legal counselors, clerks, and stenographers, including a full-time secretary, as may be required to assist the Board of Civil Service Commissioners.

(h) *Funding.* The City Council shall budget and appropriate a sum sufficient to properly organize and maintain the Civil Service Department as herein delineated and shall appropriate a sum of money each year sufficient to carry out the purposes of this article.

(i) *Chairperson.* Immediately after the election of the Board of Civil Service Commissioners as prescribed in this section, the Board shall organize itself by electing one of its members chairperson, to hold such office at the pleasure of the majority of the Board membership.

(j) *Meetings.* The Board of Civil Service Commissioners shall meet monthly to conduct such business as may properly be brought before the Board, and shall be subject to call by the chairperson for such additional meetings as circumstances require. All hearings on all charges under [Section 6-12](#) of this article shall be open, unless the employee against whom the charges are pending submits in advance of that hearing a written petition to the Board of Civil Service Commissioners for a private hearing and the legal basis therefor, and the Board finds good cause established under Florida law to permit the private hearing and grants such request.

(k) *Record.* A record of all business conducted by the Board of Civil Service Commissioners shall be maintained by the secretary of the Civil Service Board. This record shall be available, upon request, to the members of the City Council and otherwise as required by law.

(l) *Investigatory powers.* When inquiring into charges and hearing appeal by and before the Board of Civil Service Commissioners, each member thereof shall have the power to administer oaths, and the Board is authorized to compel by subpoena the attendance and testimony of witnesses and the production of books, papers and other data relevant to such inquiry or hearing. **The Commission may delegate to its Secretary the authority to administer oaths.**

~~(m) *Influencing selection of applicant.* The members of the Board of Civil Service Commissioners are enjoined from exerting undue influence in the consideration of any applicant for employment or for promotion.~~

~~(n) *Limits of inquiry.* Applicant interviews shall be limited to job-related inquiries, with focus on the types of skills and past experience that would enable an applicant to successfully perform the job for which he/she has applied. Commissioners shall not inquire into an applicant's age, family or marital status, pregnancy, gender, national origin or religion.~~

## **Sec. 6-2. - Membership.**

All employees on the payrolls of the City in authorized, permanent positions shall be members of the Civil Service, except the City Manager, the City Clerk and the City Attorney, and such

assistant positions as each may establish. All authorized, permanent positions requiring full-time or part-time employees, excluding the City Manager, the City Clerk and the City Attorney, and their assistants, shall be filled from among applicants who have been examined by the Civil Service Secretary to ~~appeared before the Board of Civil Service Commissioners of the City,~~ have satisfactorily completed the prescribed examination and are eligible ~~have been recommended~~ for employment or promotion in accordance to rules adopted by the aforementioned Board.

Except as otherwise prescribed herein, all persons regularly employed in a position permanently authorized by the City on the effective date of this Section or any amendment to this Section are confirmed in office, rank or employment as members of the Civil Service.

**Sec. 6-5. – Examination; eligibility lists.**

The Board of Civil Service Commissioners shall prescribe examination in accordance with the rules and regulations adopted and shall maintain a list of those who meet the requirements of such regulations, and who are thus eligible for such positions.

**Sec. 6-6. – Reserved. Job improvement.**

~~The Board of Civil Service Commissioners is hereby authorized to pass a resolution and amendments thereto providing for and setting up a precise method of progression toward greater responsibility and increased emolument, so that all employees in authorized, permanent positions of the City may pursue such courses of instruction as will be calculated to increase the value of their present positions or enhance their qualifications for more desirable positions, or both.~~

**Sec. 6-7. – Reserved. Filling of vacancies.**

~~When vacancies occur in the authorized, permanent positions of the City and the necessity for employment or promotion exists, a list of three (3) qualified applicants, if practicable, for each vacancy shall be submitted to the City Manager, and the position or positions shall be filled by selection from those recommended by the Board of Civil Service Commissioners. If the name of only one applicant is submitted, the City Manager may reject such applicant and require the Board to submit an additional applicant or applicants. When practicable, vacancies shall be filled by promotion.~~

**Sec. 6-11. - Reductions in force; preferred listing for re-employment.**

When the number of employees in any department becomes excessive through either re-organization or modification of the work load, the City Manager shall certify this fact to the City Council, who shall cause an investigation to be made. If such investigation confirms the statement of the City Manager, then the City Council shall have the right to terminate the employment of the excess personnel; provided, that the person who stands lowest in rank or classification, shall be the first discharged, and this system of discharge shall continue until the necessary reduction in the number of personnel has been accomplished; and provided, that persons so discharged shall be placed upon a preferred list by the ~~Board of Civil Service~~ Secretary Commissioners, and shall be given priority for re-employment. When a vacancy occurs in any department it will, if

practicable, be filled by the re-employment of a person whose name is carried on the preferred list, beginning with that individual whose priority is established by rank or classification and seniority. The City Manager shall fill all vacancies from the preferred list, so far as practicable. Position on the preferred list shall be determined first by rank or classification and then by seniority within that rank.

**Sec. 6-13. - Incompetence, neglect of duty, insubordination, etc.**

Any member of the Civil Service who shall be incompetent, neglectful of his/her duty, guilty of insubordination, **moral turpitudes**, ~~immorality or drunkenness~~ or who fails to meet his/her just and honorable financial obligations or conducts himself/herself in such manner as to reflect discredit upon his/her fellow employees or the City ~~or both~~ shall be subject to suspension, demotion, or discharge as provided in [Section 6-12](#).

Any employee affected by this article who shall, while on duty, engage in political activity either federal, state, county or city, shall be subject to demotion, suspension or discharge; provided, however, that nothing herein contained shall prevent any employee from voting in any election.

SECTION 11. From and after the effective date of this ordinance Section 7-2 of the Charter of the City of Panama City Beach, related to qualifications of candidates, is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE 7. - ELECTIONS**

**Sec. 7-2. - Qualifications of candidates.**

In addition to all the requirements imposed by state law, candidates for the office of City Councilperson must be qualified electors of the City and must have resided within the wards for which they are candidates for **twelve (12)** ~~six (6)~~ months immediately preceding the election in which they are candidates and, as of the end of the current term of office, must not have served (or, but for resignation, would have served) in that office for two full terms. Candidates for the office of Mayor must be qualified electors of the City and must have resided within the City for **twelve (12)** ~~six (6)~~ months immediately preceding the election in which they are candidates and, as of the end of the current term of office, must not have served (or, but for resignation, would have served) in that office for two full terms.

SECTION 12. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 13. If approved by referendum as provided in this Ordinance, the appropriate officers and agents of the City are authorized and directed to codify, include and

publish the provisions of this Ordinance within the Panama City Beach Charter.

SECTION 14. This Ordinance shall take effect immediately upon passage, but the amendments proposed hereby shall become effective immediately upon approval by a majority of the electors of the City voting in the next general election or special election called for such purpose; and if the electors shall not approve an amendment proposed by this Ordinance at such referendum, or should no referendum be held within one (1) year from the passage of this Ordinance, then the proposals not approved shall be void and of no force and effect.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 13<sup>th</sup> day of January, 2022.

  
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MARK SHELDON, MAYOR

ATTEST:

  
\_\_\_\_\_  
LYNNE FASONE, CITY CLERK

EXAMINED AND APPROVED by me this 13<sup>th</sup> day of January, 2022.

  
\_\_\_\_\_  
MARK SHELDON, MAYOR

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