

1 **ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS**

2  
3 **ORDINANCE \_\_\_\_\_**

4  
5 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
6 ALACHUA COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO  
7 SECTION 2.2(A) OF THE ALACHUA COUNTY HOME RULE CHARTER,  
8 PROVIDING FOR MEMBERS OF THE BOARD OF COUNTY  
9 COMMISSIONERS TO BE ELECTED ON A COUNTYWIDE BASIS;  
10 PROVIDING FOR A REFERENDUM ON THE QUESTION OF ADOPTION OF  
11 AN PROPOSED AMENDMENT TO THE COUNTY CHARTER; PROVIDING  
12 AN EFFECTIVE DATE, IF APPROVED BY A MAJORITY OF ELECTORS;  
13 PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES  
14 OF ALACHUA COUNTY AND CORRECTION OF SCRIVENER’S ERRORS;  
15 PROVIDING FOR SEVERABILITY; PROVIDING FOR LIBERAL  
16 CONSTRUCTION AND INTERPRETATION; AND ALLOWING FOR  
17 MODIFICATION OF THE LANGUAGE OF THE ORDINANCE DUE TO  
18 CONSIDERATIONS ARISING AT A PUBLIC HEARING; PROVIDING AN  
19 EFFECTIVE DATE.  
20

21 **WHEREAS**, Alachua County established a charter form of government pursuant to the provisions  
22 of Chapter 125, Part IV, Florida Statutes, effective January 1, 1987; and

23 **WHEREAS**, the Board of County Commissioners adopted an ordinance to approve the Alachua  
24 County Home Rule Charter (“Charter”) on September 9, 1986 and the Charter was approved by a majority  
25 of all voters voting in the special election held as part of the general election on November 4, 1986; and

26 **WHEREAS**, the Charter provides that amendments to the Charter may be proposed by an  
27 ordinance adopted by the Board of County Commissioners by an affirmative vote of a majority plus one  
28 of the membership of the Board of County Commissioners; and

29 **WHEREAS**, the Board of County Commissioners desires to propose an ordinance for adoption to  
30 amend the Alachua County Charter to provide for the members of the Board of County Commissioners  
31 to be elected on a countywide basis by the electors of the county.  
32

33 **NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF ALACHUA**  
34 **COUNTY, FLORIDA:**

35 **SECTION 1. Authorization and Legislative Findings.** This Ordinance is authorized by Chapter  
36 125, Part IV, Florida Statutes, and Article IV, Sections 4.2(C) and 4.2(0), Alachua County Charter, and  
37 other applicable law. The Board of County Commissioners finds and declares that all the statements set  
38 forth in the preamble of this ordinance are true and correct and are incorporated herein.

39 SECTION 2. **Amendments to the Alachua County Home Rule Charter.** The proposed  
40 amendment to the Alachua County Charter amending Section 2.2(A) pertaining to members of the Board  
41 of County Commissioners being elected on a countywide basis, set forth in Exhibit “A,” attached hereto  
42 and incorporated herein, is proposed for adoption in accordance with Subsection 4.2(C)(1), Alachua  
43 County Charter.

44 SECTION 3. **Referendum.**

45 a. The proposed amendment to the Alachua County Charter in Section 2 of this ordinance  
46 shall be presented to the County electorate on the ballot at the general election to be held on November  
47 5, 2024.

48 b. The Supervisor of Elections of Alachua County shall cause the following question to be  
49 placed on the ballot at the general election to be held on November 5, 2024.

50 **AMENDING THE COUNTY CHARTER TO PROVIDE FOR COUNTY COMMISSIONER**  
51 **ELECTIONS ON AN AT LARGE BASIS**

52 Shall the five members of the board of county commissioners of Alachua County, Florida, be elected by  
53 all electors within the county at large?

- 54  YES  
55  NO

56  
57 SECTION 4. **Effective Date of Charter Amendment.** This amendment to the Alachua County  
58 Charter adopted as set forth in Exhibit “A” shall be effective on January 1, 2025, only if approved by a  
59 majority of the electors voting in the general election to be held on November 5, 2024.

60 SECTION 5. **Inclusion in the Code, Scrivener’s Error.** It is the intention of the Board of County  
61 Commissioners of Alachua County, Florida, and it is hereby provided that the provisions of this ordinance  
62 shall become and be made a part of the Code of Laws and Ordinances of Alachua County, Florida; that  
63 the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the  
64 word “ordinance” may be changed to “section,” “article,” or other appropriate designation. The correction  
65 of typographical errors which do not affect the intent of the ordinance may be authorized by the County  
66 Manager or designee without public hearing, by filing a corrected or recodified copy of the same with the  
67 Clerk of the Circuit Court.

68 SECTION 6. **Severability.** It is the declared intent of the Board of County Commissioners that, if  
69 any section, sentence, clause, phrase or provision of this ordinance is for any reason held or declared to  
70 be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of

71 invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the  
72 remainder of this ordinance after the exclusion of such part or parts shall be deemed to be valid.

73 SECTION 7. **Liberal Construction and Interpretation.** This ordinance shall be liberally  
74 construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest  
75 of the public health, safety, and welfare of the citizens and residents of Alachua County, Florida.

76 SECTION 8. **Modification.** It is the intent of the Board of County Commissioners that the  
77 provisions of this ordinance may be modified as a result of considerations that may arise during public  
78 hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the  
79 Board and filed by the Clerk to the Board.

80 SECTION 9. **Effective Date.** A certified copy of this ordinance shall be filed with the Department  
81 of State by the Clerk of the Board of County Commissioners within ten days after enactment by the Board  
82 of County Commissioners, and this ordinance shall take effect upon filing with the Department of State.

83  
84 **Duly Adopted** in regular session by an affirmative vote of a majority plus one of the membership  
85 of the Board of County Commissioners this \_\_\_\_ day of \_\_\_\_, \_\_\_\_.

86  
87 **BOARD OF COUNTY COMMISSIONERS OF**  
88 **ALACHUA COUNTY, FLORIDA**

89  
90 ATTEST:

91  
92  
93 \_\_\_\_\_  
94 J.K. "Jess" Irby, Esq.  
95 Clerk

96  
97 BY: \_\_\_\_\_  
98 Mary C. Alford, Chair  
99 Board of County Commissioners

100 APPROVED AS TO FORM

101 \_\_\_\_\_  
102 County Attorney  
103

Exhibit A

Sec. 2.2. – Legislative branch.

A. The county commission. The governing body of the county shall be a board of county commissioners composed of five (5) members serving staggered terms of four (4) years. There shall be one (1) commissioner for each of five (5) county commission districts established pursuant to general law and they shall be elected ~~by the qualified electors of that district~~ on a countywide basis by the electors of the county. Each candidate for the office of county commissioners shall reside within the district from which such candidate seeks election at the time of qualified to run for that office, and during the term of office each commissioner shall reside in the district from which such commissioner ran office, provided that any commissioner who is removed from a district by redistricting may continue to serve during the balance of the term of office.