

**ORDINANCE NO. 2016 – \_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES ADOPTING THE RESTATED CHARTER AS THE OFFICIAL CHARTER OF THE CITY OF CORAL GABLES, AND PROVIDING FOR REPEALER, CODIFICATION, AND AN EFFECTIVE DATE. (This proposal does not substantively amend the Charter. Instead, this proposal improves its readability and format, corrects the footnotes and legal history, complies with the Municipal Home Rule Powers Act, and includes a forward).**

**WHEREAS**, on January 1, 1954, with the approval of the City Attorney, an unofficial compilation of the Charter (the “Compiled Charter”) was issued; and

**WHEREAS**, the Compiled Charter was a compilation of the Charter approved May 8, 1929 (Laws of Florida Chapter 13972) with all amendments thereto, and all the acts granting special powers or immunities to the City up to July 1, 1953; and

**WHEREAS**, subsequently, the Compiled Charter was modified by Commission action and City Attorney Opinion based on state law, including the Municipal Home Rule Powers Act; and

**WHEREAS**, the Compiled Charter has many numbering gaps and formatting errors that could be addressed to greatly improve readability and gender neutrality without substantive change; and

**WHEREAS**, the City last conducted a Charter Review, through a Charter Review Committee, in 2004; and

**WHEREAS**, the City Commission on May 12, 2015 convened a Charter Review Committee, tasked with reviewing the Compiled Charter to review areas of the Compiled Charter that should be amended; and

**WHEREAS**, the Charter Review Committee requested a Restated Charter be drafted and approved by the City Commission; and

**WHEREAS**, the Restated Charter includes no substantive changes and is being adopted through a more formal process than the Compiled Charter; and

**WHEREAS**, any substantive changes to the Restated Charter must be done by referendum unless state law, County Charter, or City Charter stated otherwise.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

**SECTION 1.** The forgoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** The Restated Charter, attached hereto and incorporated by reference, is hereby approved as the Charter of the City of Coral Gables.

**SECTION 3.** The City Commission hereby directs that Charter be placed into a pamphlet for public distribution.

**SECTION 4. SEVERABILITY.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 5. REPEALER.** All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

**SECTION 6. CODIFICATION.** It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word “ordinance” may be changed to “section”, “article”, or such appropriate work or phrase in order to accomplish such intentions.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective when passed and adopted.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2014.

APPROVED:

JIM CASON  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY