



BILL

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27 providing for limitations; providing for an annual  
 28 financial audit; providing for nonpartisan elections  
 29 and matters relating thereto; providing for recall;  
 30 providing for charter amendments; providing for  
 31 standards of conduct in office; providing for  
 32 severability; providing for a municipal personnel  
 33 system; prohibiting charitable contributions unless  
 34 authorized by the council; providing for land use  
 35 changes; providing the town a transitional schedule  
 36 and procedures for its first election; providing for  
 37 first-year expenses; providing for adoption of  
 38 transitional ordinances, resolutions, a comprehensive  
 39 plan, and local development regulations; providing for  
 40 accelerated entitlement to state-shared revenues;  
 41 providing for receipt and distribution of gas tax  
 42 revenues; providing for continuation of the South  
 43 Walton Fire District; providing for continuation of  
 44 the South Walton Mosquito Control District; providing  
 45 for law enforcement; providing for waivers; requiring  
 46 a referendum; providing an effective date.

47  
 48 Be It Enacted by the Legislature of the State of Florida:

49  
 50 Section 1. Charter; creation; form of government;  
 51 boundaries and powers.-

52 (1) CHARTER; CREATION.-

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ORIGINAL

YEAR

53 (a) This act, together with any future amendments thereto,  
 54 may be known as the "Charter of the Town of South Walton" (the  
 55 "charter"), and the Town of South Walton(the "town") is created.

56 (b) The South Walton area in Walton County includes a  
 57 compact and contiguous coastal community of approximately 24,000  
 58 persons who seek to preserve their coastal community and  
 59 environment. The residents within the proposed town seek to  
 60 manage the future development of the area and preserve their  
 61 unique coastal community.

62 (c) It is in the best interest of the public health,  
 63 safety, and welfare of the residents of the South Walton County  
 64 area to form a separate municipality for the South Walton area  
 65 with all the powers and authority necessary to provide adequate  
 66 and efficient municipal services to its residents.

67 (d) It is the intent of this charter and the incorporation  
 68 of the town to secure the benefits of self-determination and  
 69 affirm the values of representative democracy, citizen  
 70 participation, strong community leadership, professional  
 71 management, and regional cooperation.

72 (2) FORM OF GOVERNMENT.—The town shall have a council-  
 73 manager form of government.

74 (3) CORPORATE BOUNDARIES.—The corporate boundaries of the  
 75 town shall be as described as follows:

76  
 77 Begin at the point of intersection of the east  
 78 extremity line of the Walton County/Bay County Line

BILL

ORIGINAL

YEAR

79 and the mean high water line of the Gulf of Mexico.  
 80 Thence run due north along the county line to its  
 81 point of intersection with the mean high water line of  
 82 the south bank of the Intracoastal Waterway. Thence  
 83 run northwesterly along the mean high water line of  
 84 the south bank of the Intracoastal Waterway to its  
 85 point of intersection with Choctawhatchee Bay. Thence  
 86 run westerly along the mean high water line of the  
 87 south shore of Choctawhatchee Bay to its point of  
 88 intersection with the Walton County/Okaloosa County  
 89 Line. Thence run due south along the county line to  
 90 its point of intersection with the Gulf of Mexico.  
 91 Thence run easterly along the mean high water line of  
 92 the Gulf of Mexico to the point of beginning.

93  
 94 The town shall have the power to change its boundaries as  
 95 authorized by general law.

96 (4) MUNICIPAL POWERS.—The town shall be a body corporate  
 97 and politic and shall have all available governmental,  
 98 corporate, and proprietary powers of a municipality under the  
 99 State Constitution and laws of the state, as fully and  
 100 completely as though such powers were specifically enumerated in  
 101 this charter, and may exercise such powers, except when  
 102 prohibited by law. Through the adoption of this charter, it is  
 103 the intent of the electors of the town that the municipal  
 104 government established by this charter have the broadest

BILL

ORIGINAL

YEAR

105 exercise of home rule powers permitted under the State  
 106 Constitution and laws of the state. This charter and the powers  
 107 of the town shall be construed liberally in favor of the town.  
 108 It is recognized that certain services within the municipal  
 109 boundaries are provided by independent special districts created  
 110 by special acts of the Legislature and by Walton County.

111 Section 2. Council; mayor and vice mayor.-

112 (1) TOWN COUNCIL.-There shall be a town council ("council")  
 113 vested with all legislative powers of the town, consisting of  
 114 seven council members ("council members"). Unless otherwise  
 115 stated in this charter, all charter powers shall be exercised by  
 116 the council.

117 (2) THE MAYOR; POWERS AND DUTIES.-

118 (a) The mayor will be elected at large and reside in any  
 119 district within the municipal boundaries of the town for a four  
 120 year term. The Mayor shall have the same legislative powers and  
 121 duties as any other council member, except as provided by this  
 122 charter.

123 (b) In addition to carrying out the regular duties of a  
 124 council member, the mayor shall preside at the meetings of the  
 125 council and shall be recognized as the head of town government  
 126 for service of process, ceremonial matters, and the signature or  
 127 execution of ordinances, contracts, deeds, bonds, and other  
 128 instruments and documents and for purposes of military law. The  
 129 mayor shall also serve as the ceremonial head of the town and  
 130 the town official designated to represent the town when dealing

BILL

ORIGINAL

YEAR

131 with other entities. The mayor shall have no administrative  
 132 duties other than those necessary to accomplish these actions,  
 133 or such other actions as may be authorized by the town council,  
 134 consistent with general or special law.

135 (3) THE VICE MAYOR.—

136 (a) The council, at its first regular meeting after each  
 137 election, shall elect from its members a vice mayor who shall  
 138 serve for a term of two years and who shall have the same  
 139 legislative powers and duties while serving as any other council  
 140 member.

141 (b) The vice mayor shall serve as acting mayor during the  
 142 absence or disability of the mayor. In the absence of the mayor  
 143 and the vice mayor, the remaining council members shall select a  
 144 council member to serve as acting mayor.

145 Section 3. Election and terms of office.—

146 (1) TERM OF OFFICE.—Except as detailed in subsection (3)  
 147 of section 7 for the initial election, four council members  
 148 shall be elected at large for a four-year term by the electors  
 149 of the town in the manner provided in section 9 and three  
 150 members shall be elected by and each reside in a single member  
 151 district. Except for the 2017 initial election, council members  
 152 shall be sworn into office at the first regularly scheduled  
 153 meeting after the fourth Tuesday of April after the election.  
 154 Each council member shall remain in office until his or her  
 155 successor is elected and assumes the duties of the position.

156 (2) SEATS.—The town council shall be divided into seven

BILL

ORIGINAL

YEAR

157 separate council seats to be designated as seats 1, 2, 3, 4, 5,  
 158 6 and 7. Six of the council members shall be elected from three  
 159 districts. One member from each district shall be elected at  
 160 large and one member from each district shall be elected only by  
 161 the eligible voters residing within the district. The seats  
 162 will be ordered numerically as follows:

163 (a) Seat 1: Not associated with a district; elected at-  
 164 large; the council member elected to Seat 1 will serve as  
 165 the Mayor;.

166 (b) Seat 2: Associated with and reside in District 1;  
 167 elected by voters residing within the district;

168 (c) Seat 3: Associated with and reside in District 1;  
 169 elected at-large;

170 (d) Seat 4: Associated with and reside in District 2;  
 171 elected by voters residing within the district;

172 (e) Seat 5: Associated with and reside in District 2;  
 173 elected at-large;

174 (f) Seat 6: Associated with and reside in District 3;  
 175 elected by voters residing within the district;

176 (g) Seat 7: Associated with and reside in District 3;  
 177 elected at-large.

178  
 179 (3) If a duly elected council member from a member district  
 180 no longer resides within the district from which the council  
 181 member was elected, but still resides within the corporate  
 182 limits of the Town of South Walton, provided that less than one  
 183 year remains on the term of office of the affected council  
 184 member, that member may serve out the existing term. However,

BILL

ORIGINAL

YEAR

185 if a duly elected council member from a member district no  
 186 longer resides within the district from which the council member  
 187 was elected, but still resides within the corporate limits of  
 188 the Town of South Walton, provided one year or more remains on  
 189 the term of office of the affected council member, that council  
 190 member is no longer eligible to fulfill the term of office and  
 191 the council seat shall be vacant.

192 (4) Three districts from which six council members shall be  
 193 designated and elected from within the municipality shall be the  
 194 same district boundaries as used by the South Walton Fire  
 195 District, provided those three districts encompass the  
 196 geographic area of the municipality. If the South Walton Fire  
 197 District boundaries are not conterminous with the geographic  
 198 boundaries of the municipality, such districts shall be  
 199 established by law and after consultation with the Walton County  
 200 Supervisor of Elections. Following the 2020 decennial census,  
 201 the three districts shall be apportioned so that the population  
 202 of each district is equally allocated between the three  
 203 districts. If possible, redistricting shall avoid splitting  
 204 communities when fashioning the three districts.

205 (5) With respect to a single member district council seat,  
 206 only a qualified elector who resides in a particular single  
 207 member district may vote for a candidate for the single member  
 208 district seat who qualifies and resides in the same district as  
 209 the qualified voter. Thus, for example, for single member  
 210 district seat 2, the candidates must reside for at least one



BILL

ORIGINAL

YEAR

211 year in that district, qualify for that particular district and  
 212 the electors who will vote for the single member district seat 2  
 213 candidate must live in the seat 2 district.

214 (6) With respect to an at large district council seat, any  
 215 qualified elector who resides within the corporate boundaries of  
 216 the town may vote for a candidate seeking an at large district  
 217 council seat. Thus, for example, for at large district seat 3,  
 218 the candidates must reside for at least one year in that  
 219 district, qualify for that particular district and the electors  
 220 who will vote for the at large district seat 3 candidate must  
 221 resides within the corporate boundaries of the town.

222 (7) QUALIFICATION.—Candidates for each seats 1 through 7,  
 223 must qualify for council elections by seat in accordance with  
 224 applicable general law. Candidates for each single member  
 225 district seat elected at large and for each single member  
 226 district seat elected only by the voters within that particular  
 227 district, seats 2 through 7, must reside in the district the  
 228 candidate seeks to represent as further set forth below in order  
 229 to qualify. To qualify for office:

230 (a) Filing.—Each candidate for council member shall file a  
 231 written notice of candidacy with the town clerk at such time and  
 232 in such manner as may be prescribed by this charter, and shall  
 233 make payment to the town of qualifying fees that may be required  
 234 by general law.

235 (b) Registered elector.—Each candidate for council member  
 236 shall be a registered elector in the state.

BILL

ORIGINAL

YEAR

237 (c) Residency.—Each candidate for an at large district  
 238 council seat or a single member district council member seat  
 239 shall have maintained his or her domicile within the boundaries  
 240 of the district he or she seeks to represent for a period of 1  
 241 year before qualifying for election and, if elected, shall  
 242 maintain such residency throughout his or her term of office,  
 243 except as provided in s. 3 paragraph 3. Each candidate for a  
 244 single member district seat shall have maintained his or her  
 245 domicile within the boundaries of the district he or she seeks  
 246 to represent for a period of 1 year before qualifying for  
 247 election and, if elected, shall maintain such residency in the  
 248 district throughout his or her term of office, except as  
 249 provided in s. 3 paragraph 3.

250 (d) Deadline.—A resident of the town who wishes to become  
 251 a candidate for a council member for the initial election seat  
 252 shall qualify with the town clerk no sooner than September 1 and  
 253 not later than September 15 of 2017. In subsequent elections  
 254 held on the second Tuesday in April of each even numbered year,  
 255 qualifying shall take place from February 1 through February 15  
 256 of the year in which the election is to be held.

257 (e) “Single member district council seat” means a seat in  
 258 which the candidates seeking election have maintained his or her  
 259 domicile within the boundaries of the district he or she seeks  
 260 to represent for a period of 1 year before qualifying for  
 261 election and only electors who reside in the district are  
 262 eligible to vote.

BILL

ORIGINAL

YEAR

263 (f) "At large district council seat" means a seat in which  
 264 the candidates seeking election have maintained his or her  
 265 domicile within the boundaries of the district he or she seeks  
 266 to represent for a period of 1 year before qualifying for  
 267 election and all voters who reside within the town's corporate  
 268 boundaries are eligible to vote.

269 (8) CODE OF ETHICS. - The council shall enact by ordinance a  
 270 code of ethics.

271 (9) VACANCIES IN OFFICE; FORFEITURE; SUSPENSION; FILLING  
 272 OF VACANCIES.-

273 (a) Vacancies.-A vacancy in the office of mayor, vice  
 274 mayor, or council member shall occur upon the death of the  
 275 incumbent, removal from office as authorized by law,  
 276 resignation, failure to maintain residency within the corporate  
 277 boundaries of the town or the district from which the council  
 278 member was elected, appointment to other public office which  
 279 creates dual office holding, judicially determined incompetence,  
 280 or forfeiture of office as described in paragraph (b).

281 (b) Forfeiture of office.-A council member shall forfeit  
 282 his or her office upon determination by the council, acting as a  
 283 body, at a duly noticed public meeting that he or she:

284 1. Lacks at any time, or fails to maintain during his or  
 285 her term of office, any qualification for the office prescribed  
 286 by this charter or otherwise required by law;

287 2. Is convicted of a felony or enters a plea of guilty or  
 288 nolo contendere to a crime punishable as a felony, even if

BILL

ORIGINAL

YEAR

289 adjudication is withheld;

290 3. Is convicted of a misdemeanor of the first degree  
 291 arising directly out of his or her official conduct or duties,  
 292 or enters a plea of guilty or nolo contendere thereto, even if  
 293 adjudication of guilt has been withheld;

294 4. Is found to have violated any standard of conduct or  
 295 code of ethics established by law for public officials and has  
 296 been suspended from office by the Governor, unless subsequently  
 297 reinstated as provided by law; or

298 5. Is absent from three consecutive regular council  
 299 meetings without good cause, or for any other reason established  
 300 in this charter.

301  
 302 The council shall be the sole judge of the qualifications of its  
 303 members and shall hear all questions relating to forfeiture of a  
 304 council member's office, including whether good cause for  
 305 absence has been or may be established. The burden of  
 306 establishing good cause shall be on the council member in  
 307 question; however, a council member may at any time during a  
 308 duly held meeting move to establish good cause for his or her  
 309 absence or the absence of any other council member from a past,  
 310 present, or future meeting or meetings, which motion, if  
 311 carried, shall be conclusive. A council member whose  
 312 qualifications are in question or who is otherwise subject to  
 313 forfeiture of his or her office shall not vote on such matters.  
 314 The council member in question shall be entitled to a public

BILL

ORIGINAL

YEAR

315 hearing on request regarding an alleged forfeiture of office. If  
 316 a public hearing is requested, notice of the hearing shall be  
 317 published in one or more newspapers of general circulation in  
 318 the town at least 1 week before the hearing. A final  
 319 determination by the council that a council member has forfeited  
 320 his or her office shall be made by resolution. All votes and  
 321 other acts of the council member in question before the  
 322 effective date of such resolution shall be valid regardless of  
 323 the grounds of forfeiture.

324 (c) Suspension from office.—A council member shall be  
 325 suspended from office upon return of an indictment or issuance  
 326 of any information charging the council member with a crime that  
 327 is punishable as a felony or with a crime arising out of his or  
 328 her official duties which is punishable as a misdemeanor of the  
 329 first degree.

330 1. During a period of suspension, a council member shall  
 331 not perform an official act, duty, or function or receive any  
 332 pay, allowance, emolument, or privilege of office.

333 2. If the council member is subsequently found not guilty  
 334 of the charge, or if the charge is otherwise dismissed, reduced,  
 335 or altered in such a manner that suspension would no longer be  
 336 required as provided in this section, the suspension shall be  
 337 lifted and the council member shall be entitled to receive full  
 338 back pay and such other emoluments or allowances as he or she  
 339 would have been entitled to had the suspension not occurred.

340 (d) Filling of vacancies.—

BILL

ORIGINAL

YEAR

341 1. If a vacancy occurs in the office of a council member  
 342 and the remainder of the unexpired term is less than two years,  
 343 the remaining council members shall, within 30 days after the  
 344 occurrence of such vacancy, by majority vote, appoint a person  
 345 to fill the vacancy for the remainder of the unexpired term.

346 2. If a vacancy occurs in the office of a council member  
 347 and the remainder of the unexpired term is equal to or exceeds  
 348 two years, the remaining council members shall, within 30 days  
 349 after the occurrence of such vacancy, by majority vote, appoint  
 350 a person to fill the vacancy until a special election is held to  
 351 fill the vacancy.

352 (a) If a vacancy occurs in the office of mayor and fewer  
 353 than two years remains in the term of the council member who has  
 354 been elected mayor, the vice mayor shall serve as mayor until a  
 355 new mayor is elected at the next scheduled election and the  
 356 newly elected mayor assumes the duties of his or her office.  
 357 The council shall treat the council seat previously held by the  
 358 vice mayor as a vacancy.

359 (b) If a vacancy occurs in the office of mayor and two  
 360 years or more remain in the term of the mayor, the vice mayor  
 361 shall serve as mayor until a special election is held for seat  
 362 1, the mayor, takes place. The council shall not treat the  
 363 council seat previously held by the vice mayor as a vacancy,  
 364 since the vice mayor will temporarily serve as mayor until the  
 365 special election.

366 3. A person appointed to fill a vacancy on the council

BILL

ORIGINAL

YEAR

367 shall be required to meet the qualifications of the seat to  
 368 which he or she is appointed.

369 4. Notwithstanding the quorum requirements established in  
 370 section 5, if at any time the full membership of the council is  
 371 reduced to less than a quorum, the remaining members may, by  
 372 majority vote, appoint additional members to the extent  
 373 otherwise permitted or required under this subsection.

374 5. In the event that all of the council members are  
 375 removed by death, disability, recall, forfeiture of office, or  
 376 resignation, the Governor shall appoint interim council members  
 377 who shall call a special election at least 30 days, but no more  
 378 than 60 days, after such appointment. Such election shall be  
 379 held in the same manner as the initial elections under this  
 380 charter. However, if there are fewer than 6 months remaining in  
 381 any unexpired terms, the interim council appointed by the  
 382 Governor shall serve out the unexpired terms. Appointees must  
 383 meet all requirements for candidates as provided in this  
 384 charter.

385 (e) Compensation and expenses.-

386 1. Town council members shall be entitled to receive  
 387 reimbursement in accordance with general law for authorized  
 388 travel and per diem expenses incurred in the performance of  
 389 their official duties if such policy is approved by the town  
 390 council as an ordinance.

391 2. The initial salary of each council member shall be  
 392 Twelve Thousand Dollars (\$12,000.00) per year. The initial

BILL

ORIGINAL

YEAR

393 salary of the Mayor shall be Fifteenth Thousand Dollars  
 394 (\$15,000.00) per year. The town council may elect to provide for  
 395 salary and any change in such salary by ordinance. However, no  
 396 such ordinance increasing salary shall take effect until two  
 397 years after the date of commencement of the terms of council  
 398 members elected at the next regular election after the adoption  
 399 of such ordinance.

400 Section 4. Administrative.—

401 (1) DESIGNATION OF CHARTER OFFICERS.—The town manager and  
 402 the town attorney are designated as charter officers. These  
 403 offices may be filled by individuals who are full-time town  
 404 employees, or these offices, to the extent permitted by law, may  
 405 be contracted.

406 (2) APPOINTMENT; REMOVAL; COMPENSATION; FILLING OF  
 407 VACANCIES.—

408 (a) The charter officers shall be appointed by a majority  
 409 vote of the full council and shall serve at the pleasure of the  
 410 council.

411 (b) The charter officers shall be removed from office only  
 412 by a majority vote of the full council. Upon demand by a charter  
 413 officer, a public hearing shall be held before such removal.

414 (c) The compensation of the charter officers shall be  
 415 fixed by the town council through the approval of an acceptable  
 416 employment contract or contract for services.

417 (d) The town council shall begin the process to fill a  
 418 vacancy in a charter office within 90 days after the vacancy. An



BILL

ORIGINAL

YEAR

419 acting town manager or an acting town attorney may be appointed  
 420 by the council during a vacancy in such charter office.

421 (e) A charter officer shall not be a member of the town  
 422 council or a candidate for town council while holding a charter  
 423 officer position.

424 (3) TOWN MANAGER.—The town manager shall be the chief  
 425 administrative officer of the town. The town manager may also  
 426 serve as the town clerk.

427 (a) The town council shall appoint a town manager who  
 428 shall be the administrative head of the municipal government  
 429 under the direction and supervision of the town council. The  
 430 town manager shall hold office at the pleasure of the town  
 431 council. The town manager shall be appointed by resolution  
 432 approving an employment contract or contract for services  
 433 between the town and the town manager. The town manager shall  
 434 receive such compensation as determined by the town council  
 435 through the adoption of an appropriate resolution.

436 (b) During the absence or disability of the town manager,  
 437 the town council may by resolution designate a properly  
 438 qualified person to temporarily execute the functions of the  
 439 town manager. The person thus designated shall have the same  
 440 powers and duties as the town manager and shall be known while  
 441 serving as acting town manager. The town manager or acting town  
 442 manager may be removed by the town council at any time by  
 443 majority vote.

444 (c) As the chief administrative officer, the town manager

BILL

ORIGINAL

YEAR

445 shall:

446 1. Direct and supervise the administration of all  
 447 departments, offices, and agencies of the town, except the  
 448 office of town attorney, and except as otherwise provided by  
 449 this charter or by law.

450 2. Appoint, suspend, or remove an employee of the town or  
 451 appointive administrative officer provided for, by, or under  
 452 this charter, except the office of town attorney, and except as  
 453 may otherwise be provided by law, this charter, or personnel  
 454 rules adopted pursuant to this charter. The town manager may  
 455 authorize an administrative officer who is subject to his or her  
 456 direction and supervision to exercise these powers with respect  
 457 to subordinates in that officer's department, office, or agency.

458 3. Ensure that all laws, provisions of this charter, and  
 459 acts of the council are faithfully executed.

460 4. Prepare and submit the annual budget and a five-year  
 461 capital improvement plan to the council in the form prescribed  
 462 by ordinance. The council shall consider the recommended budget  
 463 and accept or modify the proposed budget. The town manager shall  
 464 be responsible for implementing the budget as approved by the  
 465 council.

466 5. Attend meetings of the town council.

467 6. Draw and sign vouchers upon depositories as provided by  
 468 ordinance and keep, or cause to be kept, a true and accurate  
 469 account of same.

470 7. Sign all licenses issued by the town, issue receipts

BILL

ORIGINAL

YEAR

471 for all moneys paid to the town, and deposit such moneys in the  
 472 proper depositories on the first banking day after receipt. The  
 473 town manager may delegate the responsibilities of this  
 474 subparagraph to an appropriate town employee who shall be  
 475 bonded.

476 8. Provide administrative services in support of the  
 477 official duties of the mayor and the council.

478 9. Keep the council advised as to the financial condition  
 479 and future needs of the town and make recommendations to the  
 480 council concerning the affairs of the town.

481 10. Submit to the council, and make available to the  
 482 public, a complete report on finances and administrative  
 483 activities of the town as of the end of each fiscal year.

484 11. Sign contracts on behalf of the town to the extent  
 485 authorized by ordinance.

486 12. Perform such other duties as are specified in this  
 487 charter or as may be required by the council.

488 (4) TOWN ATTORNEY.—

489 (a) The town attorney shall be employed under terms and  
 490 conditions deemed advisable by the town council, which may  
 491 include the appointment of a law firm.

492 (b) The town attorney shall be a member in good standing  
 493 with The Florida Bar, have been admitted to practice in the  
 494 state for at least five years, and have at least two years'  
 495 experience in the practice of local government or administrative  
 496 law.

BILL

ORIGINAL

YEAR

497        (c) The town attorney has sole discretion to appoint,  
 498 promote, suspend, demote, remove, or terminate deputy and  
 499 assistant town attorneys, subject to the town's annual budget.

500        (d) The town attorney shall perform the following  
 501 functions in addition to other functions as designated by the  
 502 town council:

503            1. Serve as chief legal advisor to the council, the  
 504 charter officers, and all town departments, offices, and  
 505 agencies.

506            2. Attend all regular and special town council meetings,  
 507 unless excused by the town council, and perform such  
 508 professional duties as may be required by general law or by the  
 509 council in furtherance of the law.

510            3. Approve all contracts, bonds, and other instruments in  
 511 which the town is concerned and endorse on each his or her  
 512 approval of the form and correctness thereof. No contract with  
 513 the town shall take effect until his or her approval is endorsed  
 514 on the contract.

515            4. When requested to do so by the council, prosecute and  
 516 defend on behalf of the town all complaints, suits, and  
 517 controversies in which the town is a party.

518            5. Perform such other professional duties as required of  
 519 him or her by resolution of the council or as prescribed for  
 520 municipal attorneys in general law which are not inconsistent  
 521 with this charter.

522            6. Prepare an annual budget for the operation of the

BILL

ORIGINAL

YEAR

523 office of the town attorney and submit this budget to the town  
 524 manager for inclusion in the annual town budget, in accordance  
 525 with uniform town procedures.

526 (5) TOWN CLERK.—The town manager may appoint a town clerk  
 527 or management firm to serve as town clerk (the "clerk") or may  
 528 assume the role of town clerk. The clerk shall give notice of  
 529 council meetings to its members and the public, keep minutes of  
 530 its proceedings, and perform such other duties as the council or  
 531 town manager may prescribe from time to time. The clerk shall  
 532 report to the town manager or the council, as directed by the  
 533 council. The appointment of the town clerk shall be approved by  
 534 the town council.

535 (6) EXPENDITURE OF TOWN FUNDS.—No town funds shall be  
 536 expended except pursuant to duly approved appropriations or for  
 537 the payment of bonds, notes, or other indebtedness duly  
 538 authorized by the council and only from such funds so  
 539 authorized.

540 (7) TOWN BOARDS AND AGENCIES.—Except as otherwise provided  
 541 by law, the council may establish or terminate such boards and  
 542 agencies as it may deem advisable from time to time. The boards  
 543 and agencies shall report to the council. Members of boards and  
 544 agencies shall be appointed by the council by resolution. The  
 545 council shall appoint at least three members to any board or  
 546 agency it creates.

547 Section 5. Legislative.—

548 (1) REGULAR MEETINGS.—The council shall conduct regular

BILL

ORIGINAL

YEAR

549 meetings at such times and places as the council shall prescribe  
 550 by resolution. Such meetings shall be public meetings within the  
 551 meaning of state law and shall be subject to notice and other  
 552 requirements of law applicable to public meetings, including  
 553 public records laws.

554 (2) SPECIAL MEETINGS.—Special meetings may be held at the  
 555 call of the mayor or, in his or her absence, at the call of the  
 556 vice mayor. Special meetings may also be called upon the request  
 557 of a majority of the council members. Unless the meeting is of  
 558 an emergency nature, the person or persons calling such a  
 559 meeting shall provide at least four business days advance notice  
 560 of the meeting to the public.

561 (3) COMMENCEMENT.—All meetings shall be scheduled to  
 562 commence no earlier than 7 a.m. and no later than 10 p.m.

563 (4) RULES; ORDER OF BUSINESS.—The council shall determine  
 564 its own rules and order of business.

565 (5) QUORUM.—A majority of the full council, four members,  
 566 shall constitute a quorum.

567 (6) VALIDITY OF ACTION.—No action of the council shall be  
 568 valid unless adopted by an affirmative vote of the majority of  
 569 the full council, unless otherwise provided by law or the  
 570 charter.

571 (7) LEGISLATIVE POWERS.—Except as otherwise prescribed by  
 572 this charter or as provided by law, the legislative powers of  
 573 the town shall be vested in the council. The council shall  
 574 provide for the exercise of its powers and for the performance

BILL

ORIGINAL

YEAR

575 of all duties and obligations imposed on the town by law.  
 576 (8) DEPARTMENTS.—The council may establish such other  
 577 departments as it determines necessary for the efficient  
 578 administration and operation of the town. Such departments shall  
 579 be established by ordinance.  
 580 (9) CODE.—The council may adopt any standard code of  
 581 technical regulations by reference thereto in an adopting  
 582 ordinance and may amend the code in the adopting ordinance or  
 583 later amendatory ordinance. The procedures and requirements  
 584 governing such an adopting ordinance shall be as prescribed for  
 585 ordinances generally, except that:  
 586 (a) Requirements regarding distributing and filing copies  
 587 of the ordinance shall not be construed to require distributing  
 588 and filing copies of the adopted code of technical regulations.  
 589 (b) A copy of each adopted code of technical regulations,  
 590 as well as a copy of the adopting ordinance, shall be  
 591 authenticated and recorded by the town clerk.  
 592 (10) EMERGENCY ORDINANCES.—  
 593 (a) To meet a public emergency affecting life, health,  
 594 property, or the public peace, the council may adopt, in the  
 595 manner provided by general law, one or more emergency  
 596 ordinances, but such ordinances may not enact or amend a land  
 597 use plan or rezone private property; levy taxes; grant, renew,  
 598 or extend any municipal franchise; set service or user charges  
 599 for any municipal services; or authorize the borrowing of money,  
 600 except as provided under the emergency appropriations provisions

BILL

ORIGINAL

YEAR

601 of this charter, if applicable. An emergency ordinance shall be  
 602 introduced in the form and manner prescribed for ordinances  
 603 generally, except that it shall be plainly designated in a  
 604 preamble as an emergency ordinance and shall contain, after the  
 605 enacting clause, a declaration stating that an emergency exists  
 606 and describing the emergency in clear and specific terms.

607 (b) Upon the affirmative vote of four council members, an  
 608 emergency ordinance may be adopted with or without amendment or  
 609 rejected at the meeting at which it is introduced. After the  
 610 emergency ordinance is adopted, the ordinance shall be  
 611 advertised and printed as prescribed for other ordinances.

612 (c) Emergency ordinances shall become effective upon  
 613 adoption or at such other date as may be specified in the  
 614 ordinance.

615 (d) Every emergency ordinance, except emergency  
 616 appropriation ordinances, shall automatically be repealed as of  
 617 the 61st day after its effective date, but this shall not  
 618 prevent reenactment of the ordinance under regular procedures  
 619 or, if the emergency still exists, in the manner specified in  
 620 this section. An emergency ordinance may also be repealed by  
 621 adoption of a repealing ordinance in the same manner specified  
 622 in this section for adoption of emergency ordinances.

623 (11) EMERGENCY APPROPRIATIONS.—To meet a public emergency  
 624 affecting life, health, property, or the public peace, the  
 625 council, by resolution, may make emergency appropriations. To  
 626 the extent that there are no unappropriated revenues to meet



BILL

ORIGINAL

YEAR

627 such appropriation, the council may by such emergency resolution  
 628 authorize the issuance of emergency notes, which may be renewed  
 629 from time to time, but the emergency notes and renewals in any  
 630 fiscal year shall be paid not later than the last day of the  
 631 fiscal year succeeding that in which the emergency  
 632 appropriations were made.

633 (12) RECORDKEEPING.—The council shall, in a properly  
 634 indexed book kept for such purpose, provide for the  
 635 authentication and recording in full of all minutes of meetings  
 636 and all ordinances and resolutions adopted by the council, and  
 637 the same shall at all times be a public record. The council  
 638 shall further maintain a current codification of all ordinances.  
 639 Such codification shall be printed and shall be made available  
 640 for distribution to the public on a continuing basis. All  
 641 ordinances or resolutions of the council shall be signed by all  
 642 council members and attested to by the town clerk.

643 (13) DUAL OFFICE HOLDING.—No presently elected town  
 644 official shall hold any compensated appointed office or be  
 645 employed by the town while in office, nor shall any former  
 646 council member be employed by the town until two years after  
 647 leaving office.

648 (14) NONINTERFERENCE BY COUNCIL MEMBERS.—Except for the  
 649 purposes of inquiry and information, council members are  
 650 expressly prohibited from interfering with the performance of  
 651 the duties of an employee of the town government who is under  
 652 the direct or indirect supervision of the town manager or town

BILL

ORIGINAL

YEAR

653 attorney. Such action shall be malfeasance within the meaning of  
 654 s. 112.51, Florida Statutes. Recommendations for improvements in  
 655 the town government operations shall come through the town  
 656 manager, but each member of the council shall be free to discuss  
 657 or recommend improvements to the town manager, and the council  
 658 is free to direct the town manager to implement specific  
 659 recommendations for improvement in town government operations.

660 Section 6. Budget and appropriations.-

661 (1) FISCAL YEAR.-The town's fiscal year shall begin on the  
 662 first day of October and shall end on the last day of September  
 663 of the next calendar year, unless otherwise defined by general  
 664 law of duly adopted ordinance. Such fiscal year shall also  
 665 constitute the annual budget and accounting year.

666 (2) BUDGET ADOPTION.-The council shall adopt a budget in  
 667 accordance with applicable general law, after a minimum of two  
 668 public hearings on the proposed budget. A resolution adopting  
 669 the annual budget shall constitute appropriation of the amounts  
 670 specified therein as expenditures from funds indicated.

671 (3) EXPENDITURES.-The budget shall not provide for  
 672 expenditures in an amount greater than the revenues budgeted.

673 (4) APPROPRIATIONS.-

674 (a) If, during the fiscal year, revenues in excess of such  
 675 revenues estimated in the budget are available for  
 676 appropriation, the council by resolution may make supplemental  
 677 appropriations for the year in an amount not to exceed such  
 678 excess.

BILL

ORIGINAL

YEAR

679 (b) If, at any time during the fiscal year, it appears  
 680 probable to the town manager that the revenues available will be  
 681 insufficient to meet the amount appropriated, the town manager  
 682 shall report to the council without delay, indicating the  
 683 estimated amount of the deficit, any remedial action taken, and  
 684 recommendations as to any other steps that should be taken. The  
 685 council shall then take such further action as it deems  
 686 necessary to prevent or minimize any deficit and, for that  
 687 purpose, the council may by resolution reduce one or more  
 688 appropriations accordingly.

689 (c) No appropriation for debt service may be reduced or  
 690 transferred, and no appropriation may be reduced below any  
 691 amount required by law to be appropriated, or by more than the  
 692 unencumbered balance thereof. Notwithstanding any other  
 693 provision of law, the supplemental and emergency appropriations  
 694 and reduction or transfer of appropriations authorized by this  
 695 section may be made effective immediately upon adoption.

696 (5) BONDS; INDEBTEDNESS.—

697 (a) Subject to the referendum requirements of the State  
 698 Constitution, if applicable, the town may from time to time  
 699 borrow money and issue bonds or other obligations or evidence of  
 700 indebtedness (collectively, "bonds") of any type or character  
 701 for any of the purposes for which the town is now or hereafter  
 702 authorized by law to borrow money, including to finance the cost  
 703 of any capital or other project and to refund any and all  
 704 previous issues of bonds at or before maturity. Such bonds may

BILL

ORIGINAL

YEAR

705 be issued pursuant to one or more resolutions adopted by a  
 706 majority of the council.

707 (b) The town may assume all outstanding indebtedness  
 708 related to facilities that it acquires from other units of local  
 709 government and be liable for payment of such indebtedness in  
 710 accordance with its terms.

711 (6) REVENUE BONDS.—Revenue bonds may be issued by the town  
 712 as authorized by law.

713 (7) ANNUAL AUDIT.—The council shall provide for an  
 714 independent annual financial audit of all town accounts and may  
 715 provide for more frequent audits as it deems necessary. Such  
 716 audits shall be made by a certified public accountant or a firm  
 717 of such accountants who have no personal interest, directly or  
 718 indirectly, in the fiscal affairs of the town government or in  
 719 any of its officers. Residency in the town shall not be  
 720 construed as a prohibited interest.

721 Section 7. Elections.—

722 (1) ELECTORS.—A person who is a resident of the town, who  
 723 has qualified as an elector of this state, and who registers in  
 724 the manner prescribed by law shall be an elector of the town.  
 725 Such elector shall be eligible to vote for candidates seeking an  
 726 at large seat and for a candidate seeking to be elected to a  
 727 single member district, provided such elector resides in the  
 728 same single member district as the candidate seeking to be  
 729 elected to the single member district.

730 (2) NONPARTISAN ELECTIONS.—All elections for the town

BILL

ORIGINAL

YEAR

731 council members shall be conducted on a nonpartisan basis  
 732 without any designation of political party affiliation.

733 (3) ELECTION DATES.—An initial special election shall be  
 734 held on November 7, 2017, and after the initial special  
 735 election, regular elections shall be held on the second Tuesday  
 736 in April of each even-numbered election year, provided as  
 737 follows:

738 (a) The initial special election held on November 7, 2017,  
 739 shall fill all seven seats. Council members elected to seats 1,  
 740 3, 5 and 7 shall initially serve the remainder of four-year  
 741 terms and council members elected to seats 2, 4 and 6 shall  
 742 initially serve the remainder of two-year terms.

743 (b) After the initial special election, seats 1, 3, 5 and  
 744 7 shall next be filled in 2022 and council members elected to  
 745 those seats shall serve four year terms, and those seats shall  
 746 be filled by election every four years thereafter.

747 (c) Seats 2, 4 and 6 shall be filled in 2020 and council  
 748 members elected to those seats shall serve four year terms, and  
 749 those seats shall be filled by election every four years  
 750 thereafter.

751 (d) Such town elections shall be general town elections.

752 (4) ELECTIONS.—A candidate must receive a majority of the  
 753 votes cast to win a seat. If there are more than two candidates  
 754 for a seat and no candidate receives a majority of the votes  
 755 cast, a run-off election between the two candidates receiving  
 756 the most votes will be held. The run-off election shall take

BILL

ORIGINAL

YEAR

757 place three weeks after initial election. In the event two  
 758 candidates receive an equal number of votes, a coin toss shall  
 759 be used to break the tie and determine the winner.

760 (5) TOWN CANVASSING BOARD.—The town canvassing board shall  
 761 be composed of those members of the town council who are not  
 762 candidates for reelection and the town clerk, who shall act as  
 763 chair. At the close of the polls of a town election, or as soon  
 764 thereafter as practicable, the canvassing board shall publicly  
 765 meet at a time and place designated by the chair and shall  
 766 proceed to publicly canvass the vote as shown by the returns  
 767 then on file in the office of the town clerk, and then shall  
 768 publicly canvass the absentee elector ballots. The canvassing  
 769 board shall prepare and sign a certificate containing the total  
 770 number of votes cast for each candidate or other measure voted  
 771 upon. The certificate shall be placed on file with the town  
 772 clerk.

773 (6) SPECIAL ELECTIONS.—Special municipal elections, when  
 774 required, shall be held in the same manner as regular elections,  
 775 except that the town council, by ordinance, shall fix the time  
 776 for holding such elections consistent with this charter and  
 777 state law.

778 (7) GENERAL ELECTION.—

779 (a) The ballot for the general election shall contain the  
 780 names of all qualified candidates for each respective council  
 781 member seat and shall instruct electors to cast one vote for  
 782 each council member seat for which the electors are eligible to

BILL

ORIGINAL

YEAR

783 vote, with a maximum of one vote per candidate. The candidate  
 784 for each council member seat receiving a majority of votes cast  
 785 shall be the duly elected council member for that designated  
 786 council member seat.

787 (b) No election for a council member seat shall be  
 788 required in an election if there is only one duly qualified  
 789 candidate for the council member seat.

790 (c) The term of office of an elected official shall  
 791 commence at the next regularly scheduled council meeting after  
 792 the election upon the elected council member taking the oath of  
 793 office.

794 (d) All elected officers, before entering upon their  
 795 duties, shall take and subscribe to the following oath of  
 796 office: "I do solemnly swear (or affirm) that I will support,  
 797 protect, and defend the Constitution and Government of the  
 798 United States and of the state, and the charter of the Town of  
 799 South Walton; that I am duly qualified to hold office under the  
 800 Constitution of the State and the charter of the Town of South  
 801 Walton; and that I will well and faithfully perform the duties  
 802 of council member upon which I am now about to enter."

803 (e) The election laws of the state shall apply to all  
 804 elections.

805 (f) A member of the town council may be removed from  
 806 office by the electors of the town following the procedures for  
 807 recall established by general law.

808 (g) No council member shall serve more than two

BILL

ORIGINAL

YEAR

809 consecutive terms of four years. A term limited council member  
 810 who has served two consecutive terms of four years will not be  
 811 eligible to seek election to the council again until four years  
 812 have passed since the second four year term ended.

813 (h) In the event that no candidate qualifies for a seat, that  
 814 seat will be treated as a vacancy. In this limited  
 815 circumstance, the council could opt to appoint a council member  
 816 who has previously served and is term limited, notwithstanding  
 817 paragraph (g) above.

818 Section 8. General provisions.—

819 (1) SEVERABILITY.—If a section or part of a section of  
 820 this charter is held invalid by a court of competent  
 821 jurisdiction, such holding shall not affect the remainder of  
 822 this charter or the context in which such section or part of a  
 823 section so held invalid may appear, except to the extent that an  
 824 entire section or part of a section may be inseparably connected  
 825 in meaning and effect with the section or part of a section to  
 826 which such holding shall directly apply.

827 (2) TOWN PERSONNEL SYSTEM.—All new employments,  
 828 appointments, and promotions of town officers and employees  
 829 shall be made pursuant to personnel procedures to be established  
 830 by the town manager from time to time.

831 (3) CHARITABLE CONTRIBUTIONS.—The town shall not make a  
 832 charitable contribution to a person or entity unless authorized  
 833 by the council.

834 (4) VARIATION OF PRONOUNS.—All pronouns and any variations



BILL

ORIGINAL

YEAR

835 thereof used in this charter shall be deemed to refer to  
 836 masculine, feminine, neutral, singular, or plural as the  
 837 identity of the person or persons shall require and are not  
 838 intended to describe, interpret, define, or limit the scope,  
 839 extent, or intent of this charter.

840 (5) CALENDAR DAY.—For the purpose of this charter, a day  
 841 shall mean a calendar day.

842 (6) CHARTER AMENDMENTS.—This charter may be amended in  
 843 accordance with the provisions for charter amendments as  
 844 specified in general law or as may otherwise be provided by  
 845 general law. The form, content, and certification of a petition  
 846 to amend shall be established by ordinance.

847 (7) INITIATION BY PETITION.—The electors of the town may  
 848 propose amendments to this charter by petition to be submitted  
 849 to the council to be placed before the electors, as provided by  
 850 general law.

851 Section 9. Transition schedule.—

852 (1) REFERENDUM.—The Supervisor of Elections of Walton  
 853 County shall hold the referendum election called for by this act  
 854 on August 29, 2017, at which time the following question shall  
 855 be placed upon the ballot:

856 "Shall the creation of the Town of South Walton and  
 857 its charter be approved?"

858 Yes

859 No

860

BILL

ORIGINAL

YEAR

861 For the purpose of compliance with general law, the town is  
 862 created and established on August 30, 2017, if approved at the  
 863 August 29, 2017 election and upon the filing of the election  
 864 results with the Secretary of State in the manner prescribed by  
 865 law.

866 (2) INITIAL ELECTION OF COUNCIL MEMBERS; DATES.-

867 (a) After the adoption of this charter, the Supervisor of  
 868 Elections of Walton County shall call a special election to be  
 869 held on November 7, 2017. Candidates for the election shall  
 870 qualify for seat 1, seat 2, seat 3, seat 4, seat 5, seat 6 and  
 871 seat 7. The candidate receiving the majority of votes for each  
 872 seat shall be elected. If more than one candidate for a  
 873 designated council member seat receives an equal and highest  
 874 number of votes, the candidates receiving the highest votes  
 875 shall determine the winner by coin toss.

876 (b) An individual who wishes to run for one of the seven  
 877 initial council seats on the council shall qualify as a  
 878 candidate with the Supervisor of Elections of Walton County in  
 879 accordance with the provisions of this charter and general law.  
 880 The Supervisor of Elections of Walton County will create three  
 881 districts. The population of each district should be  
 882 approximately the same. In creating such districts, the  
 883 Supervisor of Elections shall make use of the existing districts  
 884 for the South Walton Fire District. The initial districts shall  
 885 be as follows:

886 i. District 1: Voter precinct 510, the area commonly

BILL

ORIGINAL

YEAR

887       known as Miramar Beach;  
 888       ii. District 2: Voter precinct 520, the area commonly  
 889 known as Santa Rosa Beach;  
 890       iii. District 3, Voter precinct 530 and 540, the areas  
 891 commonly and respectively known as Point Washinton and Rosemary  
 892 Beach, less Bunker Island.  
 893  
 894       (c) The Board of County Commissioners of Walton County  
 895 shall appoint a canvassing board that shall certify the results  
 896 of the special election.  
 897       (d) Those candidates who are elected on November 7, 2017,  
 898 shall be sworn in and take office at the initial town council  
 899 meeting, which shall be held at 6 p.m. on December 4, 2017.  
 900       (3) CREATION AND ESTABLISHMENT OF THE TOWN.—For the  
 901 purpose of compliance with s. 200.066, Florida Statutes, the  
 902 town is created and established effective August 30, 2017.  
 903       (4) FIRST YEAR EXPENSES.—The council, in order to provide  
 904 moneys for the expenses and support of the town, shall have the  
 905 power to borrow money necessary for the operation of town  
 906 government until such time as a budget is adopted and revenues  
 907 are raised in accordance with the provisions of this charter.  
 908       (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—All  
 909 applicable Walton County codes, ordinances and resolutions  
 910 currently in place at the time of passage of the referendum,  
 911 unless specifically referenced in this charter, shall remain in  
 912 force and effect as municipal codes, ordinances, and resolutions

BILL

ORIGINAL

YEAR

913 of the town unless and until rescinded by action of the town  
 914 council, except that a county ordinance, rule, or regulation  
 915 that is in conflict with an ordinance, rule, or regulation of  
 916 the town shall not be effective to the extent of such conflict.  
 917 Until otherwise determined by the town commission, such codes,  
 918 ordinances, and resolutions shall be applied, interpreted, and  
 919 implemented by the town in a manner consistent with established  
 920 policies of Walton County on the date of the adoption of this  
 921 charter. Any existing Walton County ordinances, rules, and  
 922 regulations as of August 29, 2017, shall not be altered,  
 923 changed, rescinded, or added to, nor shall any variance be  
 924 granted thereto insofar as such action would affect the town  
 925 without the approval of the town council. Upon being properly  
 926 constituted following the special election, the town council may  
 927 enact any and all ordinances as authorized by this charter or  
 928 general law.

929 (6) TEMPORARY EMERGENCY ORDINANCES.—The town council may  
 930 adopt ordinances and resolutions required to effect the  
 931 transition. Ordinances adopted within 60 days after the first  
 932 council meeting may be passed as emergency ordinances. These  
 933 transitional ordinances, passed as emergency ordinances, shall  
 934 be effective for no longer than 60 days after adoption and  
 935 thereafter may be readopted, renewed, or otherwise continued  
 936 only in the manner normally prescribed for ordinances.

937 (7) TRANSITIONAL COMPREHENSIVE PLAN AND LAND DEVELOPMENT  
 938 REGULATIONS.—

BILL

ORIGINAL

YEAR

939 (a) Until such time as the town adopts a comprehensive  
 940 plan , the Walton County Future Land Use Map, the Walton County  
 941 Zoning Map, and all other provisions applicable to the town, of  
 942 the Comprehensive Plan and Land Development Regulations of  
 943 Walton County, as they exist on the day that the town commences  
 944 corporate existence, August 30, 2017, shall remain in effect as  
 945 the town's transitional comprehensive plan and land development  
 946 regulations. However, all planning functions, duties, and  
 947 authority may, upon a vote of four members of the town council,  
 948 be vested in the Town of South Walton Town Council. The Town  
 949 Council shall also be deemed the local planning agency until the  
 950 council establishes a separate local planning agency.

951 (b) Upon this act becoming a law, no changes in the future  
 952 land use map or the zoning districts within the boundaries of  
 953 the town shall be considered for alteration, amendment, or other  
 954 modification in any way until such time as the town adopts  
 955 appropriate procedures as referenced in this act.

956 (c) All powers and duties of the planning commission,  
 957 zoning authority, any boards of adjustment, and the Board of  
 958 County Commissioners of Walton County, as set forth in these  
 959 transitional zoning and land use regulations, shall be vested in  
 960 the Town of South Walton until such time as the town council  
 961 delegates all or a portion thereof to another entity.

962 (d) Upon the passage of this act, no subsequent amendment  
 963 of the comprehensive plan or land development regulations  
 964 enacted by the Board of County Commissioners of Walton County

BILL

ORIGINAL

YEAR

965 shall be deemed as an amendment of the town's transitional  
 966 comprehensive plan or land development regulations or otherwise  
 967 take effect within the town's corporate limits, except in  
 968 accordance with the requirements and upon adoption of the  
 969 procedures specified in this act.

970 (8) STATE-SHARED REVENUES.—The Town of South Walton shall  
 971 be entitled to participate in all shared revenue programs of the  
 972 state available to municipalities effective July 1, 2017. The  
 973 provisions of s. 218.23(1), Florida Statutes, shall be waived  
 974 for the purpose of eligibility to receive revenue-sharing funds  
 975 from the date of incorporation through December 31, 2023.  
 976 Following the waiver period, notwithstanding the provisions of  
 977 s. 218.23(1), Florida Statutes, for the purposes of calculating  
 978 the 3 mill equivalent, ad valorem taxes assessed within the  
 979 corporate boundaries of the Town of South Walton for the  
 980 following local government functions shall be considered and  
 981 used in the 3 mill calculation: services provided by the Walton  
 982 County Sheriff’s Office, the South Walton Fire District and the  
 983 South Walton Mosquito Control District or their successors. In  
 984 addition, all municipal revenue sources shall be considered,  
 985 including, but not limited to the following: municipal service  
 986 taxing units, occupational license taxes, public utility service  
 987 taxes, communications services tax, and franchise fees. Initial  
 988 population estimates for calculating eligibility for shared  
 989 revenues shall be determined by the University of Florida Bureau  
 990 of Economic and Business Research. If the bureau is unable to

BILL

ORIGINAL

YEAR

991 provide an appropriate population estimate, an alternate source  
 992 acceptable to the Florida Department of Revenue shall be  
 993 identified.

994 (9) GAS TAX REVENUES.—Notwithstanding the requirements of  
 995 s. 336.025, Florida Statutes, the town shall be entitled to  
 996 receive local option gas tax revenues beginning on July 1, 2017.  
 997 These revenues shall be distributed in accordance with general  
 998 law or by any interlocal agreement negotiated with Walton  
 999 County.

1000 (10) AD VALOREM TAXES OF THE TOWN OF SOUTH WALTON. -  
 1001 Notwithstanding the requirements of section 165.061(1)(e)2,  
 1002 Florida Statutes, a super majority vote shall be required to  
 1003 impose or increase ad valorem taxes. A super majority vote  
 1004 means:

1005 i. If a quorum of 4 council members are present, a super  
 1006 majority is 4;

1007 ii. If a quorum of 5 council members are present, a super  
 1008 majority is 4;

1009 iii. If a quorum of 6 council members are present, a super  
 1010 majority is 5;

1011 iv. If a quorum of 7 memers are present, a super majority  
 1012 is 5.

1013 The municipal ad valorem millage may not exceed 2.5 mills.

1014 (11) WAIVER.—The provisions of s. 218.23(1), Florida  
 1015 Statutes, shall be waived for the purpose of conducting audits  
 1016 and financial reporting through fiscal year 2017-2018.

BILL

ORIGINAL

YEAR

1017 Section 10. Continuation, merger, and dissolution of  
 1018 existing districts and service providers.-

1019 (1) SOUTH WALTON FIRE DISTRICT; CONTINUATION.-

1020 Notwithstanding the incorporation of the Town of South Walton,  
 1021 that portion of the South Walton Fire District, a special taxing  
 1022 district created by the Board of County Commissioners of Walton  
 1023 County that is the same as the boundaries of the Town of South  
 1024 Walton, is authorized to continue in existence if and until the  
 1025 town adopts an ordinance to the contrary, should the town opt to  
 1026 do so in the future.

1027 (2) SOUTH WALTON MOSQUITO CONTROL DISTRICT; CONTINUATION.-

1028 Notwithstanding the incorporation of the Town of South Walton,  
 1029 that portion of the South Walton Mosquito Control District, a  
 1030 special taxing district created by the Board of County  
 1031 Commissioners of Walton County that is similar to the boundaries  
 1032 of the Town of South Walton, is authorized to continue in  
 1033 existence if and until the town adopts an ordinance to the  
 1034 contrary, should the town opt to do so in the future.

1035 (3) LAW ENFORCEMENT.-Law enforcement services shall be  
 1036 provided by the Walton County Sheriff's Office if and until the  
 1037 town adopts an ordinance to the contrary, should the town opt to  
 1038 do so in the future.

1039 Section 11. Waivers.-The thresholds established by s.  
 1040 165.061, Florida Statutes, for incorporation have been met with  
 1041 the following exception:

1042



BILL

ORIGINAL

YEAR

1043 | Population density requirement

1044

1045 | Section 12. This act shall take effect upon approval by a  
 1046 | majority of those qualified electors residing within the  
 1047 | proposed corporate limits of the proposed Town of South Walton  
 1048 | as described in section 1 voting in a referendum election to be  
 1049 | called by the Supervisor of Elections of Walton County and to be  
 1050 | held on August 29, 2017, in accordance with the provisions  
 1051 | relating to elections currently in force, except that subsection  
 1052 | (1) of section 9 and this section shall take effect upon this  
 1053 | act becoming a law.

1054

1055

1056