

**ORDINANCE NO. 2020-16**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AMENDING THE HOME RULE CHARTER OF COLUMBIA COUNTY, FLORIDA; AMENDING ARTICLE I; ADOPTING SECTION 1.9 TO BE ENTITLED "CODE OF ETHICS"; PROVIDING FOR A BALLOT QUESTION TO BE POSED TO THE COLUMBIA COUNTY ELECTORATE AT THE GENERAL ELECTION ON NOVEMBER 3, 2020; PROVIDING FOR THE BALLOT QUESTION FORM; PROVIDING FOR FURTHER AUTHORIZATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, section 8.4 of the Home Rule Charter for Columbia County, Florida (the "Charter"), provides that on or before July 1 every eight years a Charter Review Commission ("CRC") shall be appointed to review the Charter, that the CRC shall report its recommendations for amendment within one year of its first meeting;

**WHEREAS**, pursuant to the Charter a CRC was timely appointed and its first meeting was July 29, 2019;

**WHEREAS**, section 8.4 further requires that if "amendment or revision is to be recommended, the Charter Review Commission shall conduct three (3) public hearings, at intervals of not less than ten (10), nor more than twenty (20), days";

**WHEREAS**, the CRC conducted three public hearings concerning the referendum that is the subject of this Ordinance on June 17, July 1, and July 13 of 2020, approving the substance of this Ordinance at each such hearing; and

**WHEREAS**, section 8.4 provides that the Board of County Commissioners "shall schedule a referendum on the proposed charter amendments or revisions concurrent with the next general election".

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Columbia County, Florida, that:

**Section 1.** Article I of the Home Rule Charter of Columbia County, Florida, is hereby amended by adding a section to be numbered Section 1.9, which section reads as follows:

**1.9. Code of Ethics.**

In order to provide a high level of transparency and ethical conduct under charter government, the Board of County Commissioners shall enact by ordinance a Code of Ethics no later than January 31, 2021. The Code of Ethics shall prescribe standards of conduct for members of the Board of County Commissioners and its employees, as well as to all

members of appointed boards and committees that have been created by the Board of County Commissioners. The Code of Ethics shall supplement and not contradict or supersede any statutory or administrative standards of conduct which apply to any such officer or employee. The Code of Ethics shall be adopted by Ordinance in substantially the form approved by the 2020 Charter Review Commission on June 17, July 1, and July 13, 2020. The Code shall not conflict with the power of the Governor to suspend county officers or of the Senate to remove them from office, or the power of the people to recall them from office. The Code shall not be repealed but shall be subject to amendment from time to time through ordinance and upon an affirmative vote of no fewer than four County Commissioners.

**Section 2.** Ballot Question to be Presented to Electorate.

The proposed amendments to the Home Rule Charter of Columbia County, Florida, shall be presented to the qualified Columbia County electorate by placing the question of whether to adopt same on the ballot at the special election to be held on November 3, 2020.

**Section 3.** Ballot Question Form.

The question on the ballot shall be substantially in the following form:

**CODE OF ETHICS AS PROPOSED BY THE CHARTER REVIEW COMMISSION**

**Question**

**Shall the Home Rule Charter of Columbia County, Florida be amended to provide for the enactment by ordinance of a Code of Ethics to prescribe standards of conduct for members of the Board of County Commissioners, County employees, and members of appointed boards and committees created by the Board of County Commissioners, no later than January 31, 2021?**

**Yes for Approval** \_\_\_\_\_

**No for Rejection** \_\_\_\_\_

**Section 4.** Further Authorization.

The Board of County Commissioners of Columbia County, Florida, is authorized to adopt all resolutions and take all actions necessary in order for this Charter amendment referendum to be properly placed on the ballot for the General election of November 3, 2020. Said referendum shall be conducted according to the requirements of law governing referendum elections in the State of Florida.

**Section 5. Severability.**

If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 6. Effective Date.**

This ordinance shall have effect upon becoming law but shall be of no further force or effect if the Ballot Question set forth in Section 3 is not approved by a simple majority vote of the Columbia County Electorate at the November 3, 2020, General election. Amendments to the Home Rule Charter of Columbia County, Florida, as proposed by this Ordinance, shall become effective January 1, 2021, if approved by a Yes vote by a majority of Columbia County's qualified electors voting on the question posed in Section 3 during the November 3, 2020, General election.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Columbia County, Florida, this 24<sup>th</sup> day of July, 2020.

BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY, FLORIDA

  
\_\_\_\_\_  
TOBY WITT, Chair

ATTEST:   
for P. DeWitt Cason, Clerk of Court

Approved as to form and legality:

  
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Joel E. Foreman, County Attorney