

QUESTION #1

Ballot Proposal: The ballot title and ballot summary for Question #1 are as follows:

TOWN CHARTER AMENDMENT REMOVING INITIAL
INCORPORATION AND TRANSITION PROVISIONS AND
BOUNDARY DESCRIPTIONS

Shall the Pierson Town Charter be amended to remove provisions relating to the initial incorporation of the town and transition provisions, and to remove the lengthy legal descriptions of the original corporate boundaries of the town, with the current boundaries to be kept on file with the Town Clerk pursuant to law?

_____ Yes
_____ No

Text Revisions: Upon approval of this question at referendum, the legislative title and enactment clause is deleted, Article I, Sections 1 through 6 of the Pierson Town Charter are amended, Article I, Sections 7 through 11 of the Pierson Town Charter are renumbered, and Article IV, Sections 4 and 5 of the Pierson Town Charter are amended, all to read as follows:

PIERSON TOWN CHARTER

~~CHAPTER 14315 (No. 751)~~

~~AN ACT to Abolish the Present Municipal Government of the Town of Pierson, in the County of Volusia, in the State of Florida, and to Create, Establish and Organize a Municipality to be Known and Designated as the Town of Pierson, and to Define its Territorial Boundaries and to Provide for its Government, Jurisdictions, Powers, Franchises and Privileges.~~

~~*Be It Enacted by the Legislature of the State of Florida:*~~

ARTICLE I. GENERAL PROVISIONS

~~Section 1: Abolishment of Present Municipality.~~

~~That the present municipal government existing under the name of the Town of Pierson be, and the same hereby is, abolished.~~

~~Section 2. Title to Property Reserved to New Municipality.~~

~~That the title, rights and ownership of property, uncollected taxes, dues, claims, judgments, decrees and choses in action, held or owned by the Town of Pierson shall pass to and be vested in the municipal corporation organized under this Act to succeed the municipality abolished.~~

~~Section 3. Contracts Remain Binding.~~

~~That no obligation or contract of the said Town of Pierson, including bonds heretofore issued, shall be impaired or avoided by this Act, but such debts and obligations shall pass to and be binding upon the new municipality which hereby is organized and created.~~

Section 4. Officers Hold Until Successors Qualify.

~~That all officers heretofore elected or appointed and holding office under the said municipality shall continue to hold their respective offices and to discharge the duties thereof until their successors are elected and confirmed under the provisions of this Act, and all existing ordinances of the said municipality, not in conflict with the provisions of this Act, shall continue in effect and unimpaired until repealed, amended or modified by the municipality which hereby is organized and created.~~

Section 1 5. Establishment of New Municipality.

The inhabitants of the Town of Pierson, Florida, as its limits hereinafter are established, shall be and continue to be a body politic and corporate, to be known and designated as the "Town of Pierson," and as such shall have perpetual succession.

Section 2 6. Boundaries.

The corporate boundaries of the town shall remain as they exist on the date this amended charter provision takes effect, provided that the town shall have the power to change such boundaries in the manner prescribed by law. A description of the corporate boundaries shall be maintained on file by the Town Clerk and made available to the public.

~~That the following shall be the territory, the inhabitants of which hereby are established and organized into a municipal corporation, and over which such municipality shall exercise its jurisdiction and powers, to-wit:~~

~~Commencing at the northwest (NW) corner of the northeast quarter (NE1/4) of Section twenty-eight (28), Township fourteen (14) South, Range twenty-eight (28) East; thence south to southwest (SW) corner of southeast quarter (SE1/4) of Section thirty-three (33), Township fourteen (14) South, Range twenty-eight (28) East; thence west to northwest (NW) corner of Section two (2), Township fifteen (15) South, Range twenty-eight (28) East; thence south to southwest (SW) corner of Section two (2), Township fifteen (15) South, Range twenty-eight (28) East; thence east to southeast (SE) corner of southwest quarter (SW1/4) [of] Section one (1), Township fifteen (15) South, Range twenty-eight (28) East; thence north to northeast (NE) corner of northwest quarter (NW1/4) of Section one (1), Township fifteen (15) South, Range twenty-eight (28) East; thence east to southeast (SE) corner of Section thirty-four (34), Township fourteen (14) South, Range twenty-eight (28) East; thence north to northeast (NE) corner of Section twenty-seven (27), Township fourteen (14) South, Range twenty-eight (28) East; thence west to point of beginning in the County of Volusia, in the State of Florida.~~

Section 3 7. Powers of the Town.

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Section 4 8. [Officers.]

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Section 5 9. [Rules of Conduct and Procedure.]

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Section 6 10. [Vacancies in Office.]

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Section 7 11. [Voters' Qualifications.]

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ARTICLE IV. MISCELLANEOUS

Section 4. [Repealer.]

~~Chapter 13264, Laws of Florida, Acts of 1927, be, and the same hereby is, repealed.~~

Section 5. [Effective Date.]

~~This Act shall become effective immediately upon its becoming a law, and upon its ratification by a majority vote of the qualified electors of the Town of Pierson, Florida, at an election called for that purpose, which election shall be arranged for by the town council, and shall be held on the first Tuesday after the first Monday in October, A. D. 1929.~~

~~Approved June 8, A.D. 1929.~~

QUESTION #2

Ballot Proposal: The ballot title and ballot summary for Question #2 are as follows:

TOWN CHARTER AMENDMENT PROVIDING
RESIDENCY QUALIFICATIONS FOR COUNCIL
MEMBER AND MAYORAL CANDIDATES

Shall the Pierson Town Charter be amended to require that each candidate for the office of Council Member or Mayor shall have been a resident of the Town for at least one year immediately preceding the qualifying date?

Yes
 No

Text Revisions: Upon approval of this question at referendum, the forgoing portions Article I, Section 4 of the Pierson Town Charter are amended to read as follows:

Section 4. [Officers.]

...

Rules and regulations of holding and certifying general and special elections shall be prescribed by the ordinances of said town. No person shall be eligible for election as mayor or councilman who has not resided in the Town for a period of one year immediately preceding the qualifying date, and who is not a qualified elector of said Town of Pierson, and a citizen of the State of Florida.

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QUESTION #3

Ballot Proposal: The ballot title and ballot summary for Question #3 are as follows:

TOWN CHARTER AMENDMENT CLARIFYING
ELECTION PROCEDURE

Shall the Pierson Town Charter be amended to clarify that general elections of the Town shall held in even numbered years on the date specified in law for the November general election, and to clarify that the candidate receiving the most votes cast in an election shall be declared elected?

____ Yes
____ No

Text Revisions: Upon approval of this question at referendum, the forgoing portions Article I, Section 4 of the Pierson Town Charter are amended to read as follows:

Section 4. [Officers.]

...

Provisions for Elections

General elections shall be held in ~~odd numbered and~~ even numbered years on the date that would be established by the Florida Election Code. Elections shall be held on the date established by the Florida Election Code for the November general election; provided that the mayor and each commissioner shall hold office until their respective successors are duly elected.

(a) When two or more candidates are nominated for any elective office in the Town of Pierson, Florida then it shall be the duty of the town council of the Town of Pierson to call an election, to be participated in by the qualified electors of the Town.

(b) Whenever a candidate in any election shall receive a plurality ~~majority~~ of all of the votes cast in the November general election, then that candidate shall be declared elected to the office in which he was nominated and receive a certificate of election. The elected candidate shall take office and assume elected duties on the date of the first town council meeting following the election.

QUESTION #4

Ballot Proposal: The ballot title and ballot summary for Question #4 are as follows:

TOWN CHARTER AMENDMENT PROVIDING FOR
REVIEW OF THE TOWN CHARTER EVERY TEN
YEARS

Shall the Pierson Town Charter be amended to require that the Town Charter be reviewed for recommended revisions by a Charter Review Committee appointed by the Town Council at least every ten years?

Yes
 No

Text Revisions: Upon approval of this question at referendum, Article IV, Section 6¹ of the Pierson Town Charter is created to read as follows:

Section 6. Charter review.

The Charter shall be reviewed by a Charter Review Committee at least every 10 years after the effective date of this provision. The Charter Review Committee shall be an advisory committee appointed and funded by the Pierson Town Council. The Charter Review Committee shall be appointed at least 18 months prior to the next scheduled general election and shall complete its work and present any recommendations for revisions to the Town Charter to the Town Council no later than 180 days before the general election.

¹ In the event Question 1 is also approved by a vote of the electors, the code codifier is granted discretion to renumber this section appropriately.