

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 5. - THE COUNCIL

Section 5.01. - Council membership, residence areas and districts.

The council shall consist of 19 members and there shall be 14 council districts and 5 at-large residence areas. Each council district shall elect one council member. The council districts are described in appendix 1 to this charter. Five council members shall be elected at large. One at-large council member shall reside in each at-large residence area. The initial at-large residence areas are described in Appendix 1-A to this charter.

(Ord. 91-1356-600, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 92-1982-1455, § 2)

Section 5.02. - Redistricting of council districts and residence areas.

(a)

Within 8 months after publication of each official federal census of the City of Jacksonville (Duval County), the council shall redistrict the 14 council districts and 5 at-large residence areas so that all districts and at-large residence areas are as nearly equal in population and are arranged in a logical and compact geographic pattern to the extent possible. If the council shall be unable to complete the redistricting of the council districts within 8 months after the official publication of the census, the general counsel shall petition the circuit court for the fourth judicial circuit to make such redistricting. Any redistricting of the council districts or at-large residence areas made pursuant to this section shall not affect any term of office in existence at the date of such redistricting, but shall be applicable beginning with the next succeeding general consolidated government election which occurs at least 9 months after the effective date of the redistricting.

(b)

The council shall establish the initial 5 at-large residence areas according to the same considerations for reapportioning the existing council and school districts as are established in chapter 18 of the Ordinance Code. Establishment of the initial 5 at-large

residence areas by the council shall be accomplished no later than 9 months prior to the opening of the qualifying period for candidates seeking election in the 1995 consolidated government elections. Subsequent reapportionment of the residence areas shall be accomplished in the same manner provided for in the Ordinance Code for the reapportionment of council and school board districts. The **5** council members elected countywide in the general consolidated government election occurring in 1995 and thereafter shall each qualify from 1 of the **5** residence areas.

(Ord. 90-765-354, § 6; Ord. 91-759-252, § 3; Ord. 91-1356-600, § 2; Laws of Fla., Ch. 92-341, § 1; Ord. 2012-74-E, § 1)

Editor's note—

For current reapportionment regulations, see Jacksonville Ordinance Code, [Ch. 18](#)

Section 5.03. - Terms of councilmen.

Councilmen shall serve for a term of 4 years beginning on the first day of July after their election, and continuing after such term until their successors are elected and qualified.

(Laws of Fla., Ch. 92-341, § 1)

Section 5.04. - Qualifications and compensation of council members.

Every member of the council shall be continuously throughout his or her term of office, a resident and qualified elector of Duval County, and of his or her district or residence area. A candidate for the office of member of the council shall have resided in and been a qualified elector of Duval County for at least 183 consecutive days immediately before the date on which the candidate qualifies to run for the office of member of the council; and if the person is a candidate for the office of member of the council from a district or residence area, the candidate must also have resided in and been a qualified elector of that district or residence area for at least 183 consecutive days immediately before the date on which the candidate qualifies to run for the office of member of the council from a district or residence area. Members of the council shall not hold any other public office or public employment except as notary public nor shall any member of the council be an employee of the city or any of its independent agencies except for certificated employees of the Duval County School Board. Members of the council shall receive and annual salary to be fixed by the council.

(Laws of Fla., Ch. 71-698; Laws of Fla., Ch. 73-509; Ord. 79-821-516, § 1; Laws of Fla., Ch. 90-452, § 1; Ord. 91-1356-600, § 3; Laws of Fla., Ch. 92-341, § 1)

Section 5.041. - Limitation of Term of Office.

No person elected for two consecutive full terms as a member of the council shall be eligible for election as a council member in the next succeeding term. A council term ending on or prior to June 30, 1991, shall not be considered a consecutive term for purposes of this section.

(Referendum of May 21, 1991; Laws of Fla., Ch. 92-341, § 1)

Section 5.05. - Elected constitutional officers.

Councilmen shall be considered elected constitutional officers for purposes of s. 8, **Article** II of the State Constitution.

(Laws of Fla., Ch. 77-582; Ord. 84-1307-754, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 5.06. - Vacancies; temporary appointments.

The office of a council member shall become vacant upon his or her death, resignation, failure to reside continuously in the district or residence area from which he or she was elected, except in the event redistricting should occur during his or her term of office pursuant to [section 5.02](#), or removal from office in any manner authorized by law. A vacancy in the council shall be filled for the remainder of the unexpired term by election of a council member at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs, which special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. Any resignation by a council member shall be submitted in writing to the supervisor of elections (with a copy to the secretary of the city council), shall specify the date on which it is effective, and shall be irrevocable. If any council member submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, said special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special elections shall, if possible, be held in conjunction with any other election scheduled to be held within the county. In those situations in which a vacancy exists in a council district or at-large resident area and

such vacancy is filled in the first consolidated government election or in the general consolidated government election, the council member-elect, who has been duly elected in the first consolidated government election, or in the general consolidated government election to represent said vacant district or at-large residence area, shall take office and assume and exercise all duties of office immediately after certification of said election returns, as of the date of said certification, in order to reduce the time the council district or at-large residence area is vacant and without representation.

(Laws of Fla., Ch. 73-509; Laws of Fla., Ch. 77-576; Laws of Fla., Ch. 83-433, § 1; Ord. 84-1307-754, § 1; Ord. 91-1356-600, § 4; Laws of Fla., Ch. 92-341, § 1; Laws of Fla., Ch. 2000-389)

Section 5.07. - Powers.

All legislative powers of the consolidate government (except such as are retained by the second, third, fourth, and fifth urban services districts) are vested in the council, and the council may legislate with respect to any and all matters which are within the powers of the consolidated government. The council shall review the budgets and appropriate money to the consolidated government and any independent agencies which request appropriations from the consolidated government and shall also levy taxes as required to meet the budgets approved by it. The council shall fix the salaries of the property appraiser, the tax collector, the sheriff, the supervisor of elections, and the clerk of the circuit and county court for Duval County, but not lower than the highest salary by the most recent general law as it may be from time to time amended setting a salary for those elected officials in counties similar in population to Duval County. No salary set by the council pursuant to the preceding sentence shall be reduced during the term of office of the elected officer receiving that salary. The council shall be the judge of the elections and qualifications of councilmen. The council shall provide for payment of reasonable per diem and travel expenses incurred in travel and other duties performed for public purpose by officials and employees of the consolidated government and its independent agencies and candidates for such positions, and for payment of relocation expenses for new officers and employees thereof, the provisions and limitations of s. 112.061, Florida Statutes, notwithstanding.

(Laws of Fla., Ch. 69-1175; Laws of Fla., Ch. 71-698; Laws of Fla., Ch. 78-536, § 6; Ord. 84-1307-754, § 1; Ref. of 5-26-87; Laws of Fla., Ch. 89-487, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 93-179-185, § 1)

Section 5.08. - Procedures.

The council shall meet regularly at least once in every month at such times and places as the council may prescribe. Special meetings may be held on call of the mayor or the president of the council, or seven or more members of the council, upon no less than 24 hours' notice to each member of the council. Fourteen members of the council shall constitute a quorum. The council may take official action only by the adoption of ordinances or resolutions, and no ordinance or resolution shall be passed until it has been read on 3 separate days, unless it is adopted as an emergency measure, or the council authorizes by two-thirds vote of the members to have 2 readings for certain subjects of legislation, or for certain subjects of legislation relating to economic development, one or two readings, as provided in the City Council Rules, so long as the ordinances and resolutions so passed shall be enacted or adopted in the manner provided by general law. The council shall determine its own rules and order of business, keep a journal of its proceedings and annually select a president and a president pro tempore from its members.

(Ord. 84-1307-754, § 3; Laws of Fla., Ch. 92-341, § 1; Ord. 2005-1460-E, § 1; Ord. 2012-213-E, § 1)

Note—*At the City's direction, "President pro tempore" was changed to "Vice President."*

Section 5.09. - Investigations.

The council or any duly appointed committee of the council may make investigations into the affairs of the consolidated government and the conduct of any department, office, or agency of the consolidated government and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be guilty of a misdemeanor and punishable by a fine of not more than \$1,000 or by imprisonment of not more than 60 days, or both.

(Ord. 84-1307-754, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 5.10. - Auditor.

The council shall appoint an auditor who shall be a certified public accountant or public accountant, as defined under the laws of Florida governing the practice of public accountancy in Florida. This auditor shall be the council auditor and shall be the head of the council auditor's office

which shall be a department of the legislative branch of the consolidated government. The auditor shall be responsible for the performance of the duties provided in this Section and such other duties as may be assigned him by the council. The council auditor may be removed by the council and the removal must be concurred in by a majority of the entire membership of the council. The auditor shall:

(a)

Have the authority to examine the accounting systems used by all offices and departments of the consolidated government and all commissions, entities, and independent agencies, and advise the council as to whether all such systems provide for full disclosure of the financial results and adequate information for the management needs and budgetary requests of each such office, department, board, and agency, and any commissions or entities, whether presently in existence or hereinafter created by the mayor, council, or Legislature, including, without limitation, the sheriff, property appraiser, supervisor of elections, tax collector, clerk of the circuit court, Duval County School Board, JEA, Jacksonville Port Authority, Jacksonville Airport Authority, Jacksonville Police and Fire Pension Board of Trustees, Jacksonville Economic Development Commission, Jacksonville Transportation Authority, Duval County Housing Finance Authority, Jacksonville Housing and Community Development Commission, Housing Community Development Finance Authority, and the Jacksonville Children's Commission.

(b)

Have the authority to conduct a continuous internal audit of the fiscal operations of the consolidated government and all commissions, entities, and independent agencies, whether presently in existence or hereinafter created by the mayor, council, or Legislature, including, without limitation, the sheriff, property appraiser, supervisor of elections, tax collector, clerk of the circuit court, Duval County School Board, JEA, Jacksonville Port Authority, Jacksonville Airport Authority, Jacksonville Police and Fire Pension Board of Trustees, Jacksonville Economic Development Commission, Jacksonville Transportation Authority, Duval County Housing Finance Authority, Jacksonville Housing and Community

Development Commission, Housing Community Development Finance Authority, and the Jacksonville Children's Commission.

(c)

Submit such reports and financial statements to the council as it may from time to time require.

(d)

Render assistance to the independent auditor appointed by the council under [Section 5.11](#) as agreed upon between him and the independent auditor. This assistance shall be extended to all special audits or limited examinations ordered by the council under [Section 5.11](#)

(e)

Do such other research as the council president, the committee on finance or individual council member may request concerning the financial or management affairs of the consolidated government or of the agencies to which the council makes miscellaneous appropriations, including any commissions or entities, whether presently in existence or hereinafter created by the mayor, council, or Legislature, including, without limitation, the sheriff, property appraiser, supervisor of elections, tax collector, clerk of the circuit court, Duval County School Board, JEA, Jacksonville Port Authority, Jacksonville Airport Authority, Jacksonville Police and Fire Pension Board of Trustees, Jacksonville Economic Development Commission, Jacksonville Transportation Authority, Duval County Housing Finance Authority, Jacksonville Housing and Community Development Commission, Housing Community Development Finance Authority, and the Jacksonville Children's Commission.

All nongovernmental agencies which receive funds from the City of Jacksonville shall be subject to audit by the council auditor's office in the event such audit is requested by the council and the completion of this audit may be a condition precedent to the release of appropriated funds to any such nongovernmental agency. The term "nongovernmental agency" means an agency that is not part of the legislative, executive, or judicial branches of the government of the City of Jacksonville or any of its independent agencies and includes agencies which are private, public, or a combination of both.

(Laws of Fla., Ch. 86-399, § 2; Laws of Fla., Ch. 92-341, § 1; Laws of Fla., Ch. 2003-369, § 1)

Section 5.11. - Independent audit.

The council shall provide for an annual independent audit, certified by an unqualified opinion, of the accounts and financial transactions of the consolidated government. The audit shall be made by an accountant or an accounting firm selected by the council. No such accountant or firm, or member thereof, shall have any personal interest, direct or indirect, in the fiscal affairs of the consolidated government. The independent audit shall be made by a certified public accountant or public accountant, as defined under the laws of Florida governing the practice of public accountancy in Florida, maintaining a regular full-time professional office in the State of Florida.

The final report of the independent audit shall be completed as soon as practicable after the close of the fiscal year and in no event later than 6 months after the close of the fiscal year. The audit report shall be filed with the secretary of the council and shall be available to the public.

In addition to the independent annual audit, the council may at any time order a limited examination or special audit of any office, department, board, or agency of the consolidated government by an independent accountant having the qualifications described above.

(Laws of Fla., Ch. 92-341, § 1; Ord. 94-1145-643, § 1)

Section 5.12. - Secretary and other council employees.

The council shall select a secretary who shall keep the records of the council and perform such other duties as may be required of him by the council and this charter. The council may select and employ such employees as are necessary to assist the secretary and the auditor in their duties subject to the civil service provisions of this charter and the rules and regulations enacted pursuant thereto.

(Laws of Fla., Ch. 92-341, § 1)

Section 5.13. - Reserved.

Editor's note—

Section 5.13 was renumbered as section 5.09 by § 1 of Ord. 84-1307-754.

Section 5.14. - Repealed.

Editor's note—

Section **5** of Ch. 78-536, Laws of Fla., repealed former § 5.14, pertaining to audits of the Second, Third, Fourth and Fifth Urban Services Districts or their boards or officers, which was derived from Laws of Fla., Ch. 67-1320, as amended by Laws of Fla., Chs. 67-1535 and 73-504.

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 6. - THE MAYOR

Section 6.01. - Qualifications and term of office. ^[4]

The mayor shall be a qualified elector of Duval County and a resident of Duval County, and shall have resided in and been a qualified elector of Duval County for at least 365 consecutive days immediately before the date on which he or she qualifies to run for the office of mayor. If he or she shall cease to possess any such qualifications during his or her term of office, he or she shall forthwith forfeit the office, and the council shall remove him or her therefrom. He or she shall be elected for a period of 4 years and shall assume office on the first day of July following his or her election and serve until his or her successor is elected and qualified. No mayor elected and qualified for two consecutive terms shall be eligible for election as mayor in the next succeeding term. The mayor shall devote his or her entire time to the performance of the duties of his or her office and shall hold no other public office or public employment.

(Ord. 79-821-516, § 2; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1)

Section 6.02. - Elected constitutional officer.

The mayor shall be considered an elected constitutional officer for purposes of s. 8 of **Article II**, of the Florida Constitution.

(Laws of Fla., Ch. 77-582; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1)

Section 6.03. - Compensation.

The mayor shall receive a salary fixed by the council, but no ordinance shall be effective to reduce the salary of the mayor during any term of the mayor unless adopted or approved by the council at least 90 days prior to the consolidated government election, immediately preceding such term. If any member of the council shall later be elected to the office of mayor or assume the duties and powers of the office of mayor, said member of the council shall not receive a benefit of any increase in the salary of the mayor which he voted for while serving as a member of the council.

(Laws of Fla., Ch. 77-580; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1)

Section 6.04. - Powers and duties of mayor.

The executive power of the consolidated government (except such as is retained by the second, third, fourth, or fifth urban services districts) is vested in the mayor who is the chief executive and administrative officer of the consolidated government. He shall be responsible for the conduct of the executive and administrative departments of the consolidated government. The mayor shall administer, supervise, and control all departments and divisions created by this charter and all departments and divisions created by the council. The mayor shall appoint the directors and authorized deputy directors of each department and the chief of each division within each department, subject to confirmation by the council, and they shall serve at the pleasure of the mayor. The mayor is authorized to require any executive officer of the consolidated government to submit to him written or oral reports and information relating to the business and affairs of the consolidated government. The mayor shall from time to time submit reports and recommendations to the council with respect to the financial condition, business, and general welfare of the consolidated government and all offices, departments, and divisions thereof. The mayor shall submit to the council an annual budget for the consolidated government.

(Laws of Fla., Ch. 78-536, § 8; Ord. 84-1307-754, §§ 4, 5; Laws of Fla., Ch. 92-341, § 1)

Section 6.05. - Mayor's veto power.

The mayor may veto any ordinance or resolution adopted by the council except ordinances and resolutions relating to:

- (a) Consolidation of the urban services districts.
- (b) Appointments to the zoning board and the building codes adjustment board.
- (c) Zoning exceptions and variances.
- (d) The auditor, the secretary of the council, or other employees of the council.

- (e) Internal affairs of the council.
- (f) Investigations by the council or any duly appointed committee thereof.
- (g) Quasi-judicial decisions made by the council.

Any ordinance or resolution adopted by the council over which the mayor has a veto power shall be presented to the mayor for his consideration and recommendations. If he approves the ordinance or resolution he shall sign it and it shall become effective according to the terms thereof. If he disapproves he shall return the ordinance or resolution to the council without his signature, accompanied by a message indicating the reasons for his disapproval and recommendations. Any resolution or ordinance so disapproved by the mayor shall become effective only if, subsequent to its return, it shall be adopted by two-thirds of all the members of the council present at any meeting; except that if the mayor vetoes any item in the consolidated budget appropriation, only a majority vote of the members of the council shall be required to adopt the same as law over the mayor's veto. Any resolution or ordinance shall become effective on the date provided therein unless it be disapproved by the mayor and returned to the council at or prior to the next regular meeting of the council occurring 10 days or more after the date when the ordinance or resolution was delivered to the mayor's office for consideration. The mayor may disapprove the sum of money appropriated by any one or more items, or parts of items, in any ordinance appropriating money for the use of the consolidated government or any independent agency, in any manner provided herein. The one or more items or parts of items disapproved or reduced shall be void to the extent that they have been disapproved or reduced, unless they shall be restored to the ordinance and become effective by the vote of a majority of the members of the council.

(Laws of Fla., Ch. 72-572; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1; Laws of Fla., Ch. 98-467, § 1)

Section 6.06. - Vacancy in the office of mayor.

If the mayor should die, resign, or remove his residence from Duval County during his term of office, or be removed from office, the office of mayor shall become vacant. A vacancy in the office of mayor shall be filled in the following manner:

- (a)

An incumbent mayor who resigns in order to seek a state or federal office in the general statewide election held in November immediately preceding the last year of his term, shall submit his resignation at least 10 days prior to the first day of the qualifying period for the office to which he seeks election and his resignation shall be effective no later than the date on which the general statewide election is held. A vacancy in the office of mayor shall exist as of the effective date of the resignation. In the event a mayor's resignation should be effective before the date of the general statewide election, then the vacancy in the office of mayor shall be temporarily filled in the following succession. The president of council, the vice president of council, the chairman of the council committee on rules, and the chairman of the council committee on finance are established as successors to the office of mayor for the purpose of filling a vacancy in the office. In the event a vacancy should occur, the president of council shall serve as mayor until a successor mayor is qualified and elected, and, if there is no president of council, then the vice president shall so serve. If there is no vice president, then the chairman of the council committee on rules shall serve, and, if there is no chairman of the council committee on rules, then the chairman of the council committee on finance shall serve. If none of these successors can serve as acting mayor, the council shall by ordinance designate an acting mayor until the office of mayor shall be filled as provided herein. If any elected official in the line of succession should refuse to serve as acting mayor or if any such official who is serving as acting mayor should qualify to run for the office of mayor, then he shall no longer serve as acting mayor and the official next in line of succession shall assume the duties of acting mayor. A candidate seeking election to fill the vacancy created by this resignation of an incumbent mayor seeking other elected office shall qualify to run in a special mayoral election to be held as part of and at the same time as the general statewide election. The time period during which such candidates may qualify to run in this special mayoral election shall commence at the same time as does the qualifying period for candidates seeking office in the general statewide election and shall terminate on noon of the seventh day

following the date on which the qualifying period for the general statewide election ends. A mayor elected to fill an unexpired term shall take office and assume and exercise all duties of office immediately as of the date of certification of the election returns by the supervisor of elections as provided by law.

(b)

In the event that a vacancy in the office of mayor occurs other than as provided in subsection (a), then such a vacancy shall be filled for the remainder of the unexpired term by election of a mayor at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A resignation by the mayor shall be submitted to the supervisor of elections (with a copy to the secretary of the city council), shall specify the date on which it is effective, and shall be irrevocable. If a mayor submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A vacancy in the office of mayor occurring as contemplated in this subsection shall be temporarily filled in the same manner established in subsection (a). The acting mayor shall exercise all the powers of the office of mayor until a successor mayor is qualified, elected, and assumes office. If an acting mayor should qualify to run for the office of mayor at this special election, then he shall no longer serve as acting mayor and the official next in line of succession shall assume the duties of acting mayor. Should a special mayoral election not be held at the same time as any other election scheduled to be held within the county, then the special primary election for nominations of candidates of political parties for the office of mayor to be voted upon in the special election shall be held at the times specified by the council in

the resolution calling the special mayoral election, provided that at least 2 weeks shall intervene between the dates set for the first and second primary elections and at least 2 weeks shall intervene between the second special primary election and the special mayoral election. The time period during which candidates may qualify to run in the special primary elections and special mayoral elections shall be specified by the council in the resolution calling the special election, provided that at least 7 calendar days shall be fixed for the qualifying period and that the last date on which candidates may qualify shall occur not less than 3 weeks before the date of the first special primary election.

(Laws of Fla., Ch. 77-576; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 85-433, § 1; Laws of Fla., Ch. 92-341, § 1)

***Note**—At the City's direction, "President pro tempore" was changed to "Vice President."*

Section 6.07. - Mayor's staff.

The mayor may appoint administrative aides and one personal secretary to have such duties as he may determine and to serve at his sole pleasure. The mayor's aides and secretary shall be excluded from the civil service provisions of the charter and ordinances of the City of Jacksonville.

(Laws of Fla., Ch. 71-694; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1)

Section 6.08. - Mayor's absence, incapacity or suspension.

During any absence of the mayor from Duval County, the president of the council shall automatically become acting mayor, with emergency powers to act only when the public interest requires and with such additional powers to act only when the public interest requires and with such additional powers as the mayor may designate. If the mayor becomes incapable of acting as the mayor and incapable of delegating his duties, or in the event that the mayor is suspended in the exercise of his office, and in either case as long as the incapacity or suspension lasts, the president of the council shall automatically become acting mayor, with all the powers of the office. If the mayor and the president of the council are simultaneously absent from Duval County, or simultaneously incapable of acting as mayor and incapable of delegating the duties of the office of mayor, or simultaneously suspended in the exercise of the office of mayor,

the vice president of the council shall automatically become acting mayor with the same powers as the president of the council would have had in like circumstances. The council may by ordinance provide for further succession to the same powers as provided in this section.

(Laws of Fla., Ch. 70-748; Laws of Fla., Ch. 77-576; Ord. 84-1307-754, § 4; Laws of Fla., Ch. 92-341, § 1)

Note—*At the City's direction, "President pro tempore" was changed to "Vice President."*

FOOTNOTE(S):

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Case law annotations—The initial term of office provided for in § 6.01 does not constitute a term of office as set forth in this section, Viera v. Slaughter, 318 So.2d 490 (D.C.App., 1975). [\(Back\)](#)

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 8. - THE SHERIFF

Section 8.01. - Duties.

The **sheriff** shall be responsible for the performance of duties imposed upon the **sheriff** of Duval County by the Constitution or by the general or special laws of Florida and shall be responsible for the management, operation, and control of law enforcement and traffic safety in the consolidated government. When deemed necessary, the **sheriff** may contract for traffic engineering services to be provided by an independent engineer or engineering firm, with the approval of the council. He shall administer the prison farm and jails, and shall be responsible for service of civil process.

(Laws of Fla., Ch. 80-512, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 8.02. - Qualifications, election, terms, compensation.

The **sheriff** shall be a qualified elector of and reside in Duval County, and shall have resided in and been a qualified elector of Duval County for at least 183 consecutive days immediately before the date on which he or she qualifies to run for the office of **sheriff**. The **sheriff** shall be elected by the qualified electors of Duval County for a period of 4 years and shall assume office on the first day of July following his or her election and serve until his or her successor is elected and qualified. The **sheriff** shall devote his or her entire time to the performance of the duties of his or her office and shall hold no other public office or public employment except that he or she may be a notary public or a member of the armed forces. The compensation of the **sheriff** shall be fixed by the city council.

(Laws of Fla., Ch. 69-1175; Ord. 79-821-516, § 3; Laws of Fla., Ch. 92-341, § 1)

Section 8.03. - Vacancy.

If the **sheriff** should die, resign, or remove his residence from Duval County during his term of office, or be removed from office, the office of **sheriff** shall become vacant. A vacancy in the office of **sheriff** shall be filled in the following manner:

(a)

An incumbent **sheriff** who resigns in order to seek a state or federal office in the general statewide election held in November immediately preceding the last year of his term, shall submit his resignation at least 10 days prior to the first day of the qualifying period for the office to which he seeks election and his resignation shall be effective no later than the date on which the general statewide election is held. A vacancy in the office of **sheriff** shall exist as of the effective date of the resignation. In the event a **sheriff's** resignation should be effective before the date of the general statewide election, then the vacancy in the office of **sheriff** shall be temporarily filled with an acting **sheriff** who shall be appointed by the Governor and who shall serve until a successor **sheriff** is qualified and elected. A candidate seeking election to fill the vacancy created by this resignation of an incumbent **sheriff** seeking other elected office shall qualify to run in a special election to be held as a part of and at the same time as the general statewide election. The time period during which such candidates may qualify to run in this special election shall commence at the same time as does the qualifying period for candidates seeking office in the general statewide election and shall terminate on noon of the seventh day following the date on which the qualifying period for the general statewide election ends. A **sheriff** elected to fill an unexpired term shall take office and assume and exercise all duties of office immediately as of the date of certification of the election returns by the supervisor of elections as provided by law.

(b)

In the event that a vacancy in the office of **sheriff** occurs other than as provided in subsection (a), then such a vacancy shall be filled for the remainder of the unexpired term by election of a **sheriff** at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A resignation by the **sheriff** shall be submitted to the supervisor of elections (with a copy to the secretary of the city council), shall specify the date on which

it is effective, and shall be irrevocable. If a **sheriff** submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A vacancy in the office of **sheriff** occurring as contemplated in this subsection shall be temporarily filled in the same manner established in subsection (a). The acting **sheriff** shall exercise all the powers of the office of **sheriff** until a successor **sheriff** is qualified, elected, and assumes office. Should a special election not be held at the same time as any other election scheduled to be held within the county, then the special primary election for nominations of candidates of political parties for the office of **sheriff** to be voted upon in the special election shall be held at the times specified by the council in the resolution calling the special election, provided that at least 2 weeks shall intervene between the dates set for the first and second primary elections and at least 2 weeks shall intervene between the second special primary election and the special election. The time period during which candidates may qualify to run in the special primary elections and special elections shall be specified by the council in the resolution calling the special election, provided that at least 7 calendar days shall be fixed for the qualifying period and that the last date on which candidates may qualify shall occur not less than 3 weeks before the date of the first special primary election.

(Laws of Fla., Ch. 77-576; Ord. 84-1307-754, § 7; Laws of Fla., Ch. 85-432, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 8.04. - Two term limit.

No person elected and qualified for two consecutive full terms as **Sheriff** shall be eligible for election as **Sheriff** for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter.

(Ord. 91-533-606, § 1 (Referendum of November 3, 1992))

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE,
FLORIDA

ARTICLE 9. - SUPERVISOR OF ELECTIONS

Section 9.01. - Duties, compensation.

The **supervisor of elections** shall have responsibility for maintaining rolls of qualified voters of the consolidated government and for the conduct of all elections. It shall be his duty to perform all duties which are imposed by general or special law on the **supervisor of elections** for Duval County, to conduct all consolidated government elections, and such other duties as are prescribed by this charter or by the council. The compensation of the **supervisor of elections** shall be fixed by the city council.

(Laws of Fla., Ch. 69-1175; Laws of Fla., Ch. 92-341, § 1)

Section 9.02. - Qualifications, election, term.

The **supervisor of elections** shall be a qualified elector of Duval County and a resident of Duval County, and shall have resided in and been a qualified elector of Duval County for at least 183 consecutive days immediately before the date on which he or she qualified to run for the office of **supervisor of elections**. He or she shall be elected for a term of 4 years and shall assume office on the first day of July following his or her election. He or she shall devote his or her entire time to the performance of the duties of his or her office and shall hold no other public office or public employment.

(Laws of Fla., Ch. 74-504; Ord. 79-821-516, § 4; Laws of Fla., Ch. 92-341, § 1)

Section 9.03. - Vacancy.

If the **supervisor of elections** should die, resign, or remove his residence from Duval County during his term of, or be removed from office, the office of **supervisor of elections** shall become vacant. A vacancy in the office of **supervisor of elections** shall be filled in the following manner:

(a)

An incumbent **supervisor of elections** who resigns in order to seek a state or federal office in the general statewide election held in November immediately preceding the last year of his term, shall submit his resignation at least 10 days prior to the first day of the qualifying period for the office to which he seeks election and his resignation shall be effective no later than the date on which the general statewide election is held. A vacancy in the office of **supervisor of elections** shall exist as of the effective date of the resignation. In the event a **supervisor of elections'** resignation should be effective before the date of the general statewide election, then the vacancy in the office of **supervisor of elections** shall be temporarily filled with an acting **supervisor of elections** who shall be appointed by the Governor and who shall serve until a successor **supervisor of elections** is qualified and elected. A candidate seeking election to fill the vacancy created by this resignation of an incumbent **supervisor of elections** seeking other elected office shall qualify to run in a special election to be held as a part of and at the same time as the general statewide election. The time period during which such candidates may qualify to run in this special election shall commence at the same time as does the statewide election and shall terminate on noon of the seventh day following the date on which the qualifying period for the general statewide election ends. A **supervisor of elections** elected to fill an unexpired term shall take office and assume and exercise all duties of office immediately as of the date of certification of the election returns as provided by law.

(b)

In the event that a vacancy in the office of **supervisor of elections** occurs other than as provided in subsection (a), then such a vacancy shall be filled for the remainder of the unexpired term by election of a **supervisor of elections** at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A resignation by the **supervisor of elections** shall be submitted to the assistant **supervisor of elections** (with a

copy to the secretary of the city council), shall specify the date on which it is effective, and shall be irrevocable. If a **supervisor of elections** submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A vacancy in the office of **supervisor of elections** occurring as contemplated in this subsection shall be temporarily filled in the same manner established in subsection (a). The acting **supervisor of elections** shall exercise all the powers of the office of **supervisor of elections** until a successor **supervisor of elections** is qualified, elected and assumes office. Should a special election not be held at the same time as any other election scheduled to be held within the county, then the special primary election for nominations of candidates of political parties for the office of **supervisor of elections** to be voted upon in the special election shall be held at the times specified by the council in the resolution calling the special election, provided that at least 2 weeks shall intervene between the dates set for the first and second primary elections and at least 2 weeks shall intervene between the second special primary election and the special election. The time period during which candidates may qualify to run in the special primary elections and special elections shall be specified by the council in the resolution calling the special election, provided that at least 7 calendar days shall be fixed for the qualifying period and that the last date on which candidates may qualify shall occur not less than 3 weeks before the date of the first special primary election.

(Laws of Fla., Ch. 77-576; Laws of Fla., Ch. 85-432, § 2; Laws of Fla., Ch. 92-341, § 1)

Section 9.04. - Two term limit.

No person elected and qualified for two consecutive full terms as **Supervisor of Elections** shall be eligible for election as **Supervisor of**

Elections for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter.

(Ord. 91-533-606, § 2 (Referendum of November 3, 1992))

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE,
FLORIDA

ARTICLE 10 – PROPERTY APPRAISER

Section 10.01. - Duties, compensation.

The **property appraiser** shall be responsible for assessing all real and personal **property** in Duval County. It shall be the duty of the **property appraiser** to perform all functions or duties which are imposed by general law or special laws on the **property appraiser** of Duval County. The compensation of the **property appraiser** shall be fixed by the city council.

(Laws of Fla., Ch. 69-1175; Ord. 79-821-516, § 5; Laws of Fla., Ch. 92-341, § 1)

Section 10.02. - Qualifications, elections, term.

The **property appraiser** shall be a qualified elector of and reside in Duval County, and shall have resided in and been a qualified elector of Duval County for at least 183 consecutive days immediately before the date on which he or she qualified to run for the office of **property appraiser**. He or she shall be elected for a period of 4 years and shall assume office on the first day of July following his or her election and serve until his or her successor is elected and qualified. The **property appraiser** shall devote his or her entire time to the performance of the duties of his or her office and shall hold no other public office or public employment.

(Laws of Fla., Ch. 78-821-516, § 5; Laws of Fla., Ch. 92-341, § 1)

Section 10.03. - Vacancy.

If the **property appraiser** should die, resign, or remove his residence from Duval County during his term of office, or be removed from office, the office of **property appraiser** shall become vacant. A vacancy in the office of **property appraiser** shall be filled in the following manner:

(a)

An incumbent **property appraiser** who resigns in order to seek a state or federal office in the general statewide election held in November immediately preceding the last

year of his term, shall submit his resignation at least 10 days prior to the first day of the qualifying period for the office to which he seeks election and his resignation shall be effective no later than the date on which the general statewide election is held. A vacancy in the office of **property appraiser** shall exist as of the effective date of the resignation. In the event a **property appraiser's** resignation should be effective before the date of the general statewide election, then the vacancy in the office of **property appraiser** shall be temporarily filled with an acting **property appraiser** who shall be appointed by the Governor and who shall serve until a successor **property appraiser** is qualified and elected. A candidate seeking election to fill the vacancy created by this resignation of an incumbent **property appraiser** seeking other elected office shall qualify to run in a special election to be held as a part of and at the same time as the general statewide election. The time period during which such candidates may qualify to run in this special election shall commence at the same time as does the qualifying period for candidates seeking office in the general statewide election and shall terminate on noon of the seventh day following the date on which the qualifying period for the general statewide election ends. A **property appraiser** elected to fill an unexpired term shall take office and assume and exercise all duties of office immediately as of the date of certification of the election returns by the supervisor of elections as provided by law.

(b)

In the event that a vacancy in the office of **property appraiser** occurs other than as provided in subsection (a), then such a vacancy shall be filled for the remainder of the unexpired term by election of a **property appraiser** at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A resignation by the **property appraiser** shall be submitted to the supervisor of elections (with a copy to the secretary of the city council), shall specify the date on which it is effective, and shall be irrevocable. If a **property appraiser**

submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A vacancy in the office of **property appraiser** occurring as contemplated in this subsection shall be temporarily filled in the same manner established in subsection (a). The acting **property appraiser** shall exercise all the powers of the office of **property appraiser** until a successor **property appraiser** is qualified, elected, and assumes office. Should a special election not be held at the same time as any other election scheduled to be held within the county, then the special primary election for nominations of candidates of political parties for the office of **property appraiser** to be voted upon in the special election shall be held at the times specified by the council in the resolution calling the special election, provided that at least 2 weeks shall intervene between the dates set for the first and second primary elections and at least 2 weeks shall intervene between the second special primary election and the special election. The time period during which candidates may qualify to run in the special primary elections and special elections shall be specified by the council in the resolution calling the special election, provided that at least 7 calendar days shall be fixed for the qualifying period and that the last date on which candidates may qualify shall occur not less than 3 weeks before the date of the first special primary election.

(Laws of Fla., Ch. 77-576; Laws of Fla., Ch. 85-432, § 3; Ord. 84-1307-754, § 7; Laws of Fla., Ch. 92-341, § 1)

Section 10.04. - Two term limit.

No person elected and qualified for two consecutive full terms as **Property Appraiser** shall be eligible for election as **Property Appraiser** for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter. (Ord. 91-533-606, § 3 (Referendum of November 3, 1992))

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 11 – TAX COLLECTOR

Section 11.01. - Duties, compensation.

The **tax collector** shall be responsible for the collection of all taxes, fees, service charges, and all other revenues of any type due the consolidated government except as the council may otherwise provide with respect to the collection of charges for water and sewer services and any public service tax on the purchase of such services. It shall be his duty to collect and receive all real, personal, and intangible property taxes due the consolidated government in accordance with such ordinances pertaining to same as the council may from time to time enact. The **tax collector** shall perform all duties which are imposed by general or special laws on the **tax collector** of Duval County. The compensation of the **tax collector** shall be fixed by the city council.

(Laws of Fla., Ch. 69-1175; Laws of Fla., Ch. 77-577; Laws of Fla., Ch. 92-341, § 1)

Section 11.02. - Qualifications, election, term.

The **tax collector** shall be a qualified elector of and reside in Duval County, and shall have resided in and been a qualified elector of Duval County for at least 183 consecutive days immediately before the date on which he or she qualifies to run for the office of **tax collector**. He or she shall be elected for a term of 4 years and shall assume office on the first day of July following his or her election. He or she shall devote his or her entire time to the performance of the duties of his or her office and shall hold no other public office or public employment.

(Laws of Fla., Ch. 74-503; Ord. 79-821-516, § 6; Laws of Fla., Ch. 92-341, § 1)

Section 11.03. - Vacancy.

If the **tax collector** should die, resign, or remove his residence from Duval County during his term of office, or be removed from office, the office of **tax collector** shall become vacant. A vacancy in the office of **tax collector** shall be filled in the following manner:

(a)

An incumbent **tax collector** who resigns in order to seek a state or federal office in the general statewide election held in November immediately preceding the last year of his term, shall submit his

resignation at least 10 days prior to the first day of the qualifying period for the office to which he seeks election and his resignation shall be effective not later than the date on which the general statewide election is held. A vacancy in the office of **tax collector** shall exist as of the effective date of the resignation. In the event a **tax collector**'s resignation should be effective before the date of the general statewide election, then the vacancy in the office of **tax collector** shall be temporarily filled with an acting **tax collector** who shall be appointed by the Governor and who shall serve until a successor **tax collector** is qualified and elected. A candidate seeking election to fill the vacancy created by the resignation of an incumbent **tax collector** seeking other elected office shall qualify to run in a special election to be held as a part of and at the same time as the general statewide election. The time period during which such candidates may qualify to run in this special election shall commence at the same time as does the qualifying period for candidates seeking office in the general statewide election and shall terminate on noon of the seventh day following the date on which the qualifying period for the general statewide election ends. A **tax collector** elected to fill an unexpired term shall take office and assume and exercise all duties of office immediately as of the date of certification of the election returns by the supervisor of elections as provided by law.

(b)

In the event that a vacancy in the office of **tax collector** occurs other than as provided in subsection (a), then such a vacancy shall be filled for the remainder of the unexpired term by election of a **tax collector** at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election schedule to be held within the county. A resignation by the **tax collector** shall be submitted to the supervisor of elections (with a copy to the secretary of the city council), shall specify the date on which it is effective, and shall be irrevocable. If a **tax collector** submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. A vacancy in the

office of **tax collector** occurring as contemplated in this subsection shall be temporarily filled in the same manner established in subsection (a). The acting **tax collector** shall exercise all the powers of the office of **tax collector** until a successor **tax collector** is qualified, elected, and assumes office. Should a special election not be held at the same time as any other election scheduled to be held within the county, then the special primary election for nominations of candidates of political parties for the office of **tax collector** to be voted upon in the special election shall be held at the times specified by the council in the resolution calling the special election, provided that at least 2 weeks shall intervene between the dates set for the first and second primary elections and at least 2 weeks shall intervene between the second primary election and the special election. The time period during which candidates may qualify to run in the special primary elections and special elections shall be specified by the council in the resolution calling the special election, provided that at least 7 calendar days shall be fixed for the qualifying period and that the last date on which candidates may qualify shall occur not less than 3 weeks before the date of the first special primary election.

(Laws of Fla., Ch. 77-576; Laws of Fla., Ch. 85-432, § 4; Ord. 84-1307-754, § 7; Laws of Fla., Ch. 92-341, § 1)

Section 11.04. - Two term limit.

No person elected and qualified for two consecutive full terms as **Tax Collector** shall be eligible for election as **Tax Collector** for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter.

(Ord. 91-533-606, § 4 (Referendum of November 3, 1992))

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 12 – JUDICIARY

Section 12.01. - Certain courts continued.

The circuit court of the fourth judicial circuit of Florida in and for Duval County and the county court of Duval County, as presently constituted under general law, shall continue in full force and effect; and all general and special laws applicable thereto shall continue in full force and effect, except as herein expressly provided to the contrary.

(Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.02. - Elections.

The clerk of the circuit and county court, the states attorney and the public defender shall be elected under the provisions of general law. The judges of the county court of Duval County shall be elected in nonpartisan elections under the provisions of general law applying to the nonpartisan election of judicial officers.

(Laws of Fla., Ch. 71-710; Laws of Fla., Ch. 72-572; Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.03. - Duties of council in respect to courts.

The council shall have the powers and duties with respect to the county court of Duval County, and the circuit court of the fourth judicial circuit in and for Duval County, and their judges, clerks, and employees, which by general or special law the board of county commissioners of Duval County had with respect to those courts or to any predecessor courts prior to the effective date of this charter; however, where any of the courts or their judges, clerks, or employees are required to pay any amounts to the board of county commissioners, all such payments shall be made to the tax collector, who shall account to the council. The council shall have the power and the duty to appropriate funds for the maintenance and operation of the administrative offices of the circuit and county courts in Duval County.

(Laws of Fla., Ch. 69-717; Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.04. - County judges not to issue licenses.

The county judges shall have no authority or duty to issue licenses required by law, except marriage licenses.

(Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.05. - Certain duties of circuit court eliminated.

The circuit court sitting as the juvenile court of Duval County shall have no duties or powers over the operation of child care programs of the consolidated government and shall not appoint a county board of visitors for Duval County.

(Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.06. - Clerk of the circuit and county court.

The office of the clerk of the circuit and county court shall continue, and all general and special laws applicable thereto and not in conflict with this act shall continue in full force and effect except that the clerk of the circuit and county court shall be elected as herein provided and shall no longer have any duty or right to act as clerk of the board of county commissioners or the ex officio auditor of the county. The salary of the clerk of the circuit and county court shall be fixed by the council.

(Laws of Fla., Ch. 69-1175; Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.07. - State attorney.

The office of state attorney of the fourth judicial circuit in and for Duval County shall continue, and all general and special laws applicable thereto shall continue in full force and effect, except as herein expressly provided to the contrary.

(Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.08. - Public defender.

The office of public defender of the fourth judicial circuit in and for Duval County shall continue, and all general and special laws applicable thereto shall continue in full force and effect, except as herein expressly provided to the contrary.

(Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.09. - Time deposits by clerk of circuit and county court.

The clerk of the circuit and county court is authorized, without court order, to deposit any and all moneys paid into the registry of the court in interest-bearing time deposit in any designated depository as provided by chapter 43, Florida Statutes. All interest accruing from registry of court moneys while on time deposit shall be deemed income of the office of the clerk of the circuit and county court and shall be deposited in the same account as are other fees and commissions of said clerk's office.

(Laws of Fla., Ch. 72-572; Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.10. - Disposition of funds by clerk.

Except as otherwise provided in the 1968 Florida Constitution, all public funds, except all funds in custody of the court pursuant to chapter 43, Florida Statutes, coming into the possession of the clerk of the circuit and county court of the fourth judicial circuit in and for Duval County which are due the consolidated government shall be promptly turned over to the tax collector on a daily basis. The city treasurer is authorized to promulgate regulations implementing this section, which may include provision for extension of time under such reasonable circumstances as the city treasurer may determine.

(Laws of Fla., Ch. 73-511; Ord. 84-1307-754, § 9; Laws of Fla., Ch. 92-341, § 1)

Section 12.11. - Two term limit.

No person elected and qualified for two consecutive full terms as Clerk of the Court shall be eligible for election as Clerk of the Court for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter.

(Ord. 91-533-606, § 5 (Referendum of November 3, 1992))

CHARTER AND RELATED LAWS

PART A - CHARTER LAWS CHARTER OF THE CITY OF JACKSONVILLE, FLORIDA

ARTICLE 13 – SCHOOL BOARD

Section 13.01. - Duval County **Board of Public Instruction continued and renamed.**

The Duval County **Board** of Public Instruction is renamed the Duval County **School Board**, a body corporate, hereinafter called "**school board**." The **school board** shall consist of seven members elected in a nonpartisan district election. The **school board** shall be responsible for the public **school** system in Duval County, and all general and special laws applicable thereto shall continue in full force and effect, except as herein expressly provided to the contrary.

(Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.02. - **School board districts.**

Members of the **school board** shall be elected from one of the seven **school board** districts hereby created and established. Each **school board** district shall be composed of two adjoining council districts as set forth in appendix 2 of this charter.

(Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Sec. 13.03. - Redistricting of **school board districts.**

Within 8 months after publication of each official federal census of Duval County, the council shall redistrict the seven **school board** districts so that all districts are as nearly equal in population as practicable. In the event that the council shall be unable to complete the redistricting of the **school board** districts within 8 months after the publication of that census, the city's general counsel shall petition the circuit court for the judicial circuit having jurisdiction over Duval County to make such redistricting. Any redistricting of the **school board** districts made pursuant to this section shall not affect any term of office in existence at the date of such redistricting but shall be applicable only to the next succeeding **school board** election.

(Ord. 84-1307-754, §§ 10, 26; Laws of Fla., Ch. 92-341, § 1; Ord. 2012-74-E, § 1)

Editor's note—

For current reapportionment regulations, see Jacksonville Ordinance Code, [Ch. 18](#)

Section 13.04. - Qualifications of **board members.**

Members of the Duval County **School Board** shall be electors of and residents of the **school board** districts in which they are elected, and each shall have resided in and been a qualified elector of the **school board** district in which he or she runs for office for at least 183 consecutive days immediately before the date on which he or she qualifies to run for the office of member of the **school board**. Members shall not hold any other public office or public employment except as notary public, member of the armed services, or federal office or employment.

(Ord. 79-821-516, § 7; Ord. 80-741-580, § 1; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.05. - Vacancies.

A **school board** member shall forfeit his office if at any time during his term of office he lacks any qualification for the office prescribed by this charter. In the event that a vacancy in the **school board** occurs, the vacancy shall be filled for the remainder of the unexpired term by election of a **school board** member at a special election to be called pursuant to resolution of the city council and held on a date no sooner than 1 month and no later than 6 months after the vacancy occurs. This special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. Any resignation by a **school board** member shall be submitted in writing to the supervisor of elections, with a copy to the secretary of the city council, shall specify the date on which it is effective, and shall be irrevocable. If any **school board** member submits a resignation which is effective at a date later than that on which it is submitted, the city council may, by resolution, call a special election for the election of a successor, this special election to be held on a date not less than 1 month after the date the resignation is submitted nor more than 6 months prior to the date the resignation is effective; and such special election shall, if possible, be held in conjunction with any other election scheduled to be held within the county. In the event that this special election cannot be held within the 1 to 6-month period prior to the qualifying period for the next general statewide election at which such office would be filled for a full term, then no special election shall be held and the office shall remain vacant until filled at the next general statewide election for the full term. Should it be possible to hold the special election to fill a vacancy in the **school board** at the same time that another election is being held in the county, then this special election shall take place on the date of the first primary of the other election and if a runoff election is required, it shall be held on the date that the other election is held whether it be another special election, a general statewide election or a consolidated general government election. A vacancy in the **school board** shall not be temporarily filled in any manner and shall continue until filled in the manner provided in this section.

(Laws of Fla., Ch. 72-572; Ord. 73-326-303; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 85-430, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 13.06. - Compensation.

Members of the **school board** shall receive such salary as set by city council ordinance, but when any member in connection with his official duties travels outside Duval County, he may receive compensation for his expenses from county **school** funds as provided in s. 112.061, Florida Statutes.

(Laws of Fla., Ch. 70-752; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.07. - Superintendent of schools.

The Duval County **School Board** shall designate a person with experience in **school** management and supervision as the superintendent of **schools** who shall be the chief administrative employee of the **board**. The superintendent of **schools** shall be considered an elected constitutional officer for purposes of section 8 of article II of the State Constitution.

(Laws of Fla., Ch. 77-582; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.08. - Powers and duties of superintendent.

The superintendent shall have the power and duties assigned to the Duval County Superintendent of **Schools** by general or special laws and such other powers and duties as are assigned by this charter or by the rules, regulations, and instruction of the **school board**.

(Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.09. - Use of internal services of the city.

Unless otherwise directed by the council, the Duval County **School Board** shall utilize the internal services of the city except that the Duval County **School Board** shall not be required to use the services of the city's Procurement Division and the City's Division of Human Resources.

(Laws of Fla., Ch. 70-745; Ord. 81-28-13, § 1; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1; Ord. 98-624-E, § 3)

Editor's note—

Ordinance 2007-839-E, § 18, authorized updated department/division names pursuant to reorganization.

Section 13.10. - School board budget.

The Duval County **School Board** shall be exempt from the budgetary requirements of article 14. However, the Duval County **School Board** shall include in its budget sufficient funds to pay the City of Jacksonville for such central services of the city as the **board** shall be required to use and shall use, on a cost accounted basis.

(Laws of Fla., Ch. 73-508; Ord. 83-591-400, § 1; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Editor's note—

See Jacksonville Ordinance Code, [§ 102.112](#) for the requirement that the council auditor conduct a performance audit.

Section 13.11. - Group insurance for members and employees of **board.**

(a)

The Duval County **School Board** is authorized to provide for life, accidental death and dismemberment, and hospital, medical, and surgical insurance for members and employees of said **board** and their families, with a group insurance plan, and to that end to enter into agreements with insurance companies to provide such insurance.

(b)

The Duval County **School Board** is authorized to pay out of district **school** funds the cost of all or any part of the premium for such group life, accidental death and dismemberment, and hospital, medical, and surgical insurance and to deduct from the compensation of such members or employees, who in writing make request for such insurance, the remaining balance of such costs, if any, and to pay the same directly to the insurance company issuing such group insurance.

(Laws of Fla., Ch. 77-543; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.12. - Transfer of property.

Whenever the Duval County **School Board**, a body corporate, shall determine by formal resolution spread upon the minutes of a regular or special meeting of said body corporate that any real or personal property is unsuited for **school** purposes because of its size, location, and/or condition and is therefore surplus to the needs and uses of the **school** system of the consolidated City of Jacksonville, Florida, then in such event, the said Duval County **School Board**, a body corporate, is authorized to transfer the title to any such property to the consolidated City of Jacksonville, and/or any of its independent agencies, with or without consideration, provided that the said Duval County **School Board**

determines that the such transfer would be in the best interest of the **school** system of the City of Jacksonville, Florida.

(Laws of Fla., Ch. 71-620; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.13. - Provision for legal holidays in calculation of compensation.

The Duval County **School Board**, a body corporate, is authorized in its discretion to provide for the inclusion of legal holidays during the **school** year in the calculation of compensation to be paid to instructional personnel as if said holidays were to be compensated, all for the purpose of providing biweekly or monthly pay periods for said instructional personnel, with such payments being nearly equal as practicable. Including such legal holidays in calculating such periodic pay periods and treating such legal holidays as if they were actually paid holidays shall not require the Duval County **School Board** to actually pay for such holidays. Inclusion of such legal holidays in calculating said periodic pay periods for instructional personnel shall not be deemed to be payment to any employee in advance of service being rendered.

(Laws of Fla., Ch. 71-619; Ord. 84-1307-754, § 10; Laws of Fla., Ch. 92-341, § 1)

Section 13.14. - Participation in the City of Jacksonville's risk management program.

Notwithstanding any general or special law to the contrary, the Duval County **School Board** is authorized, at its option, to participate, with the concurrence of the city council and in accordance with the provisions of chapter 128, Ordinance Code, in the risk management program operated and managed by the City of Jacksonville.

(Laws of Fla., Ch. 87-474, § 1; Laws of Fla., Ch. 92-341, § 1)

Section 13.15. - Two term limit.

No person elected and qualified for two consecutive full terms as a Member of the Duval County **School Board** shall be eligible for election as a Member of the Duval County **School Board** for the next succeeding term. The two-term limitation shall apply to any full term which began in 1992 or thereafter.

(Ord. 91-533-606, § 6 (Referendum of November 3, 1992))