G. Flyer sent to all registered voters of Orange County explaining the two ballot questions. **PLUS** copy of Official Sample Ballot, November 8, 1988. Propositions 1 and 2 passed. **PLUS** Orange County Charter (As amended by the Voters in the November 1988 General Election).
How to Vote on Amendments to the Orange County Charter

as proposed by the Orange County Charter Review Commission
Important Instructions

YOU WILL NEED TO VOTE ON BOTH PROPOSITIONS.

• If you desire NO CHANGE IN ORANGE COUNTY GOVERNMENT, you will need to vote NO on both propositions.

• If you desire the establishment of Five (5) Single-member districts, you will need to vote YES on Proposition One AND NO on Proposition Two.

• If you desire the establishment of Six (6) Single-member districts and a County Chairman, you will need to vote YES on BOTH Propositions.

YOU WILL NEED TO VOTE ON BOTH PROPOSITIONS.

Proposed Amendments

Proposition One: FIVE SINGLE-MEMBER DISTRICTS

Shall the five members of the Orange County Commission of Orange County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?

_________________________ YES  _______________________ NO
**Proposition Two: SIX SINGLE-MEMBER DISTRICTS/COUNTY CHAIRMAN**

Shall the Orange County Charter be revised increasing the number of County Commissioners from five (5) to six (6); providing for election of each commissioner by only the voters in their commission district; creating the office of County Chairman elected by all county voters and limited to two consecutive terms; specifying legislative and executive functions, powers and duties; revising the initiative process; allowing municipal ordinances to prevail over county ordinances and making other technical and related changes?

__________________________ YES  __________________________ NO

The Orange County Charter was approved by the voters on November 4, 1986. This Charter gives the Review Commission the authority to propose amendments to the Charter and to conduct a comprehensive study of any or all phases of County government.

Copies of the document, in its entirety, are available at:

Office of the County Supervisor of Elections Administration Center
One North Orange Avenue 201 South Rosalind Avenue
Orlando, Florida 32801 Orlando, Florida 32801
OFFICIAL SAMPLE BALLOT NOVEMBER 8, 1988

PROPOSITION 1
Single-Member County Commission Districts

"Shall the five (5) members of the Orange County Commission of Orange County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?"

YES for approval of amendment YES
NO for rejection of amendment NO

PROPOSITION 2
Orange County Charter Revision
Providing for Six (6) Single-Member Districts, County Chairman, and Other Revisions.

"Shall the Orange County Charter be revised increasing the number of County Commissioners from five (5) to six (6); providing for election of each commissioner only by the voters in their commission district; creating the office of County Chairman elected by all county voters and limited to two consecutive terms; specifying legislative and executive functions, powers and duties; revising the initiative process; allowing municipal ordinances to prevail over county ordinances and making other technical and related changes?"

YES for approval of revision YES
NO for rejection of revision NO

CITY OF OCHEE
REFERENDUM ELECTION
NOVEMBER 8, 1988

No. 1
City Charter Amendment:
Proposing a Revised and Updated City Charter

Should the Ocoee City Charter be amended, as proposed in Ordinance No. 88-27, amending the entire City Charter except for boundaries, but continuing a strong city manager form of government; giving the mayor full powers as city commissioner; updating and modernizing the Charter; establishing a personnel board; electing the mayor and two commissioners in even-numbered years and electing two commissioners in odd-numbered years; enhancing public notice requirements of commission actions?

YES for approval of amendment YES
NO for rejection of amendment NO

No. 2
City Charter Amendment:
Establishment of Four Single-Member City Commission Districts

Should the Revised and Updated Ocoee City Charter addressed in Ordinance No. 88-27 be amended as proposed in Ordinance No. 88-28 which provides that beginning in 1992 the City of Ocoee will be divided into four (4) single-member districts with the city commissioners being elected to office from such single-member districts beginning in 1992 by electors residing in each of those districts only?

YES for approval of amendment YES
NO for rejection of amendment NO

NO for rejection of amendment NO
OFFICIAL SAMPLE BALLOT
GENERAL ELECTION
NOVEMBER 8, 1988
ORANGE COUNTY, FLORIDA

COUNTY

CLERK OF CIRCUIT COURT (Vote for One)
Brian R. Gow (Rep.)

SHERIFF (Vote for One)
Terry James (Dem.)

COUNTY COMMISSIONER
DISTRICT 1 (Vote for One)
Cheryl Moore (Rep.)

DISTRICT 2 (Vote for One)
Helen M. Cartier (Rep.)

DISTRICT 3 (Vote for One)
Larry Herring (Dem.)

DISTRICT 4 (Vote for One)
William "Bill" Donahue (Rep.)

SCHOOL BOARD MEMBER
DISTRICT A (Vote for One)
Kathleen A. Adams (Rep.)

DISTRICT B (Vote for One)
James G. Mitchell (Dem.)

DISTRICT C (Vote for One)
Martha Mayne (Rep.)

DISTRICT D (Vote for One)
Tom Looney (Dem.)

DISTRICT E (Vote for One)
William "Bill" Donahue (Rep.)

DISTRICT F (Vote for One)
Ron Hargree (Dem.)

DISTRICT G (Vote for One)

HISPANIC JUDICIAL SUPERIOR COURT
Shall Justice Stephen H. Grimes be retained in office? YES NO
Shall Justice Gerald Kogan be retained in office? YES NO
Shall Judge Joan A. Conway be retained in office? YES NO
Shall Judge James C. Dahlson be retained in office? YES NO
Shall Judge James C. Dahlson, Jr. be retained in office? YES NO

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 1
ARTICLE IX, SECTION 17
Bonds for Acquisition of Property for State Roads or for Constructing Bridges
Proposing an amendment to the Constitution to authorize the Legislative to provide for subsidies for lands by the state, without a vote of the electors, at bond issue, subject to the same limitations as provided for by law or the constitution as they exist now.

AMENDMENT NO. 5
ARTICLE IX, SECTION 3
Property Tax Exemption for Widowers
Proposing an amendment to the Constitution to provide a property tax exemption for widowers.

IF YOU PREFER TO VOTE FOR A WRITE-IN CANDIDATE
Instead of one of the names printed on the ballot, the following are the only qualified write-in candidates

PLEASE DO NOT WRITE-IN ANY OTHER NAMES. THEY WILL NOT BE COUNTED.

WRITE-IN FOR PRESIDENT & VICE PRESIDENT
David E. Duke / Lloyd C. Parker: Wits Kenoyer / Ron Emmeich / Issabel Masters / Adam Stavros

WRITE-IN FOR U. S. SENATOR

WRITE-IN FOR SECRETARY OF STATE
Anthony R. Martin Trigona

PLEASE WRITE LEGIBLY AND CLEARLY.

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 6
ARTICLE XII, SECTION 4
ARTICLE XII, SECTIONS 3, 5 & 6
Taxation and Budget Reform Commission
Transfer authority to review matters relating to state and local taxation and the budgetary process from the Constitutional Revision Commission to a newly created Taxation and Budget Reform Commission, which has been created in 1990 and every 15 years thereafter. The new commission will issue a report and it may promulgate statutory changes to the Legislature, and submit proposed constitutional changes to the voters.

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 7
ARTICLE V, SECTION 10
Terms of Office for the State Judges
Increases in the number of county court judges from 20 to 40, and the number of additional district court judges from 10 to 30.

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 8
ARTICLE IX, SECTIONS 11 & 12
Department of Revenue
Increases revenue from thenormally insignificant revenue from civil traffic hearing officers.

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 9
ARTICLE IV, SECTIONS 11 & 12
Department of Revenue
Increases revenue from the normally insignificant revenue from civil traffic hearing officers.

VOTE BOTH SIDES
OF BALLOT

AMENDMENT NO. 10
ARTICLE I, SECTION 31
Limitation of Non-Economic Damages to Civil Actions
Amendment proposes to exempt from the Constitution any provision that a person entitled to recover damages for bodily injury to the person that may not recover more than $100,000 for non-economic losses, including pain and suffering, inconvenience, mental anguish, loss of capacity to earn, loss of comfort and domiciliary expenses, provided by general law. Beyond the maximum amount so recoverable may be awarded without consensual limitation. A consumer product purchased from a manufacturer or retailer in this state shall not be subject to punitive damages.

VOTE BOTH SIDES
OF BALLOT
INSTRUCTIONS

Check your address for the precinct number we have for your address in our records:

CITIZEN O C
123 ANYSTREET
ORLANDO FL 32801

ALL REGISTERED VOTERS will receive
- One Long White Ballot
- One Long Orange Ballot
- One Short Orange Ballot
- One Blue Ballot

Be sure to use the pen furnished to mark your ballots. Fill in the block with the pen...

... like this

You may take this sample ballot to the polls with you. It should be used for reference only.

Betty Carter
Supervisor of Elections
1 North Orange Avenue
Orlando, FL 32801

OFFICIAL
SAMPLE BALLOT
November 8, 1988
ORANGE COUNTY CHARTER

PREAMBLE

The Citizens of Orange County, joined together in the belief that governmental decisions affecting local interests should be made locally rather than by the State, and that County government should be reflective of the people of the County and should serve them in achieving a more responsive and efficient form of local government with improved cooperation between the County and the municipalities and other governmental units within the County; and, in order to empower the people of this County to make changes in their own government, do hereby avail themselves of the full home rule benefits afforded by the Florida Constitution to adopt a Home Rule Charter, do ordain and establish this Home Rule Charter for Orange County, Florida.

ARTICLE I

POWERS OF GOVERNMENT

Section 101. Body Corporate and Politic.

Orange County shall be a Body Corporate and Politic and, as such, shall have all rights and powers of local self-government which are now, or hereafter may be, provided by the U.S. Constitution and the Constitution and Laws of Florida and this Charter.

Section 102. Name and Boundaries.

The Corporate name shall be "Orange County," hereinafter referred to as the "County," and shall be so designated in all actions and proceedings touching its rights, powers, properties and duties. Its seat and boundaries shall be those presently designated by law.

Section 103. General Powers of the County.

Unless provided to the contrary in this Charter, Orange County shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors.

Section 104. Special Powers of the County.

The County, operating under this Charter, shall have all special powers and duties which are not inconsistent with this Charter heretofore granted by law to the Board of County Commissioners, and shall have such additional County and municipal powers, as may be required to fulfill the intent of this Charter, including but not limited to, the creation and abolition of special municipal taxing units with independent budgets. Property situated within municipalities shall not be subject to taxation for services rendered by the County exclusively for the benefit of the property of residents not within municipal boundaries, nor shall property situated in the unincorporated area of the County be subject to taxation for services provided by the County exclusively for the benefit of the property of residents within municipal boundaries.
Section 105. Transfer of Powers.

The County shall have the power and authority, pursuant to the Constitution and Laws of Florida, to assume and perform all functions and obligations now or hereinafter performed by any municipality, special district or agency, whenever such municipality, special district or agency shall request the performance or transfer of the function to the County.

Section 106. Security of the Citizens.

In order to secure to the Citizens of the County protection against abuses and encroachments, the County shall use its powers to secure for all Citizens by ordinance or by civil or criminal action, whenever appropriate, the following:

A. Just and Equitable Taxation.

B. Proper Use of Public Property.


D. Prevention of abuse of the environment.

Section 107. Division of Powers.

This Charter hereby establishes the separation between the legislative and executive functions of this government; the establishment and adoption of policy shall be the responsibility of the Legislative Branch, and the execution of that policy shall be the responsibility of the Executive Branch.

(Amended November 1988)

Section 108. Construction.

The powers granted by this Charter shall be construed liberally in favor of the County government. The specified powers in this Charter shall not be construed as limiting, in any way, the general or specific power of the government, as stated in this Article.

Section 109. Severability.

If any article, section, subsection, sentence, clause or provision of this Charter or the application thereof shall be held invalid for any reason, the remainder of the Charter and of any ordinances, regulations or resolutions made thereunder shall remain in full force and effect.
ARTICLE II

LEGISLATIVE BRANCH: BOARD OF COUNTY COMMISSIONERS

Section 201. Reserved. (Repealed and Reserved November 1988)


In January, 1989, the Board shall appoint a Redistricting Advisory Committee composed of fifteen (15) residents of the County with each Board member selecting three (3) individuals to serve on the Committee. The Committee shall submit to the Board by October 1, 1989, a proposal for redistricting the County into six (6) Commission districts of contiguous territory as nearly equal in population as practicable. The recommendation shall take into consideration the demographics of the County, the geography of the neighborhoods and existing precinct lines so as to establish districts in accordance with applicable federal and state laws. The Board shall then adopt a redistricting plan not later than January 1, 1990. Thereafter, districts shall be reconsidered after each decennial census and adjusted by the Board after one or more public hearings.

(Amended November 1988)

Section 203. Structure of Board.

A. Effective January 1, 1989, the Orange County Commission shall be renamed Board of County Commission (hereinafter "Board"). Subsequent to the redistricting plan of Section 202 of the Charter, the number of commissioners shall be increased to six (6) with each member elected from single member districts and a Chairman elected county-wide. All County elections are to be partisan elections. Each commissioner shall be a registered voter of and resident of the particular district he represents at the time of election to office and throughout the term of office.

B. In codifying the 1988 revisions to this Charter, the Board may delete the provisions of both this subsection 203(b) and Section 201, either reserving them or providing the appropriate renumbering.

(Amended November 1988)

Section 204. Terms of County Commissioners.

Commissioners shall be elected for terms of four (4) years. Elections shall be staggered so that three (3) Commissioners will be elected every two (2) years. Subsequent to the redistricting plan of Section 202, the first election for three (3) Commission district offices shall be at the general election of November 1990 and thereafter there shall be an election for three (3) offices every two (2) years.

(Amended November 1988)
Section 205. Compensation.

Commissioners elected from single member districts in the November 1990 general election shall receive a salary of $25,000 per annum and thereafter Commissioners' salaries shall be uniform and shall be set by ordinance. The salary in effect at the beginning of a Commissioner's term in office shall not be lowered during that Commissioner's term.

(Amended November 1988)

Section 206. Vacancies.

Vacancies shall be defined and filled in accordance with state law. Any Commissioner who changes residence from the district in which the Commissioner was required to reside, shall be deemed to have vacated such office. Special elections shall be held when called by the Board of County Commissioners or required by law.

(Amended November 1988)

Section 207. Duties.

The Board shall have the power to originate, terminate and regulate legislative and policy matters including but not limited to:

1. Adopting or enacting, in accordance with the procedures provided by general law, ordinances and resolutions it deems necessary and proper for the good governance of the county;

2. Approving the annual operating and capital budgets and any long term capital or financial program;

3. Considering conducting continuing studies in the operation of County programs and services and take action on programs for improvement of the County and the welfare of its residents;

4. Adopting, and amending as necessary, a County administrative code to govern the operation of the county;

5. Adopting pursuant to the provisions of this Charter, such ordinances of countywide force and effect as are necessary for the health, safety and welfare of the residents.

The Commissioners shall only devote such time as is necessary to perform the legislative responsibilities of their office.

(Amended November 1988)
Section 208. Organization.

The Board shall annually elect from among its members a Vice Chairman. In the absence of the Chairman, the Vice Chairman shall serve as the official representative and ceremonial dignitary for the Board; shall preside during the Board of County Commissioners' meetings and may execute documents approved by the Board. The Vice Chairman shall be elected by majority vote during the month of January of each calendar year.

(Amended November 1988)

Section 209. Meetings.

The Board shall meet regularly, at such times and places as the Board may prescribe by rule. The Board shall determine its own rules and order of business. Special meetings may be held on the call of the Chair or of three (3) or more members, upon no less than twelve (12) hours effective notice to each member, except in the event of an emergency. Effective notice is notice served personally, or left at the usual place of residence or place of business of the particular Commissioner sought to be notified.

(Amended November 1988)

Section 210. Enactment of Ordinances and Resolutions.

The Board shall take official action only by the adoption of ordinances, resolutions, or motions and shall do so in accordance with the due process requirements of general law. Emergency ordinances may be enacted without public notice or hearing in accordance with general law, and where compelling circumstances warrant such action. Any ordinances adopted under emergency provisions will be reenacted, within thirty (30) days of enactment, in accordance with the due process requirements of general law for non-emergency ordinances. Any ordinances enacted under emergency provisions will be effective for a limited period of thirty (30) days.

(Amended November 1988)

Section 211. Code of Ordinances.

The Board shall maintain a current codification of all ordinances. Such codification shall be published and made available for distribution on a continuing basis.

(Amended November 1988)

Section 212. Non-Interference.

Except for purposes of inquiry and information, Commissioners are prohibited from interfering with employees, officers, or agents under the direct or indirect supervision of the County Chairman.

(Amended November 1988)
ARTICLE III
EXECUTIVE BRANCH

Section 301. County Administration.

There shall be an Executive Branch having jurisdiction over all operations of the County government not herein assigned to the Legislative Branch or otherwise provided by this Charter. The Executive Branch shall be composed of an elected County Chairman, an appointed County Administrator, the officers and employees of the administrative offices and executive divisions established by this Charter or created by the Board, and the administrative officers and employees of all Adjustment, Regulatory and Advisory Boards and Commissions, except as otherwise provided in this Charter.

(Amended November 1988)

Section 302. County Chairman.

The County Chairman shall be a registered voter of and resident of Orange County at the time of election to office and throughout the term of office. The office shall be a full-time position combining both the duties of ceremonial head and operational head of those activities within the jurisdiction of the Board of County Commissioners.

A. Compensation. The salary of the County Chairman elected in the general election of November 1990 shall be $80,000 per annum and thereafter the Chairman's salary shall be set by ordinance. The salary in effect at the beginning of a County Chairman's term in office shall not be lowered during that term.

B. Vacancy. Vacancies in the office of the County Chairman shall be defined and filled in accordance with state law. If the County Chairman changes residence from Orange County, he shall be deemed to have vacated such office.

C. Terms. The County Chairman shall be elected for a term of four (4) years and shall be limited to two (2) full consecutive terms. The first election for this position shall be held at the General election of 1990 and the person elected shall take office two (2) weeks after that election.

D. Duties. The County Chairman shall have the following powers and duties:

1. Manage the operation of all elements of County government under the jurisdiction of the Board, consistent with the policies, ordinances and resolutions enacted by the Board;
2. Serve as Chair of the Board of County Commissioners;
3. Vote on all matters before the Board;
4. Be responsible for the execution of all contracts and legal documents, but may delegate this authority;
5. Prepare and publish agendas for all meetings of the Board and submit the annual budget estimate with a plan of action to meet the needs of the County for adoption by the Board;
6. Appoint and dismiss heads of County departments, divisions and other agencies under the jurisdiction of the Board except that all such appointments shall be made annually and shall be subject to confirmation by the Board;
7. Assure the faithful execution of all ordinances, resolutions and orders of the Board and all laws of the State which are subject to enforcement by the County Chairman, or by officers who are subject under this Charter to the Chairman's direction and supervision;
8. Present annually at a time designated by the Board, a "State of the County" message, setting forth programs and recommendations to the Board;
9. Supervise the daily activities of employees;
10. Serve as the official representative and ceremonial dignitary for the government of Orange County with prerogative to issue proclamations;
11. Sign ordinances, resolutions and documents for the Board;
12. Call the Board into regular and special session; and
13. Carry other powers and duties as required by this Charter or may be prescribed by the Board.

(Amended November 1988)

Section 303. County Administrator.

There shall be a County Administrator who shall be appointed by the County Chairman and confirmed by the Board and shall serve at the pleasure of the Chairman. The County Administrator shall be nominated and selected on the basis of professional training and executive and administrative experience as set forth by ordinance. The County Administrator shall be employed on a full-time basis to assist the County Chairman in the daily management of the County.

A. Compensation. The County Administrator's salary will be established by resolution of the Board after recommendation by the County Chairman.

B. Vacancy. The County Chairman may designate a qualified County administrative officer or County employee to exercise the powers and perform the duties of the County Administrator during the County Administrator's absence or disability. If there is a vacancy in both the offices of County Chairman and the County Administrator, the Board shall designate by resolution a qualified person to perform the duties of the County Administrator.
ARTICLE IV
ADMINISTRATIVE DIVISIONS,
OFFICES AND AGENCIES

Section 401. General Provisions.

The activities under the direction and supervision of the County Chairman shall be distributed among such initial divisions and agencies as are established by this Charter or may be established, merged or abolished thereunder by the Administrative Regulations. Except as provided by this Charter, each such division or agency shall be administered by an officer appointed by and subject under this Charter to the direction and supervision of the County Chairman.

(Amended November 1988)

Section 402. Initial Divisions and Administrative Regulations.

A. The following initial divisions are hereby established:

2. Fire and Rescue Services.
5. Health and Human Services.
7. Civic Facilities.
8. Legal Services.

B. Administrative Regulations. The County Chairman shall prepare Administrative Regulations and submit same to the Board for review, amendment and adoption, which Regulations shall set forth the organization of Orange County government and the nature and scope of each division together with rules, procedures and personnel for operation of said divisions.

(Amended November 1988)

Section 403. (Repealed November 1988)

ARTICLE V

PLANNING AND ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT

Section 501. Creation of Orange County Planning and Zoning Commission.

There shall be a Planning and Zoning Commission whose membership shall be determined by the Board.
A. **Functions, Powers and Duties of the Planning and Zoning Commission.** The Planning and Zoning Commission shall:

1. propose amendments and revisions to the comprehensive and coordinated general plan to meet present requirements and such future requirements as may be foreseen, and propose amendments and revisions to the official zoning maps showing the zones and districts as established by the comprehensive plan;
2. conduct public hearings as required to hear requests for zoning changes; and
3. perform any other duties which may be lawfully assigned to it.

*(Amended November 1988)*

Section 502. **Creation of Board of Zoning Adjustment.**

There shall be a Board of Zoning Adjustment whose membership shall be determined by the Board of County Commissioners.

A. **Functions, Powers and Duties of the Board of Zoning Adjustment.** The Board of Zoning Adjustment shall:

1. hear and decide appeals taken from the requirement, decision or determination made by the Planning or Zoning Department Manager where it is alleged that there is an error in the requirement, decision or determination made by said Department Manager in the enforcement of zoning regulations;
2. hear and decide only such special exceptions as the Board of Zoning Adjustment is specifically authorized to pass on by the terms of the zoning resolutions;
3. authorize upon appeal in specific cases such variance from the terms of the zoning resolutions as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the zoning resolutions would result in unnecessary hardship; and
4. perform any other duties which may by lawfully assigned to it.

*(Amended November 1988)*

Section 503. **Review of Planning and Zoning Commission's and Board of Zoning Adjustment's Decisions.**

Any person aggrieved by any decision of the Planning and Zoning Commission or Board of Zoning Adjustment may file a notice of appeal to the Board of County Commissioners. Said appeal shall be processed and heard in accordance with such procedures as are prescribed by Orange County Code.

*(Amended November 1988)*
ARTICLE VI

INITIATIVE, REFERENDUM AND RECALL

Section 601. Initiative and Referendum.

The power to propose amendment or repeal of this Charter, or to propose enactment, amendment or repeal of any County ordinance by initiative is reserved to the people of the County.

A. Charter. A petition seeking to amend or repeal the Charter of Orange County shall be signed by ten percent (10%) of the County electors in a majority of the Commission districts as of January 1 of the year in which the petition is initiated.

B. Ordinance. A petition seeking to enact, amend or repeal an ordinance shall be signed by seven percent (7%) of the County electors in each Commission district as of January 1 of the year in which petition is initiated.

(Amended November 1988)

Section 602. Procedure for Initiative and Referendum.

The sponsor of an initiative petition shall, prior to obtaining any signatures, submit the text of the proposed petition to the Supervisor of Elections, with the form on which signatures will be affixed, and shall obtain the approval of the Supervisor of Elections of such form. The style and requirements of such form may be specified by ordinance. The beginning date of any petition drive shall commence upon the date of approval by the Supervisor of Elections of the form on which signatures will be affixed, and said drive shall terminate 180 days after that date. In the event sufficient signatures are not acquired during that 180 day period, the petition drive shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. If sufficient signatures are obtained, the sponsor shall submit signed and dated forms to the Supervisor of Elections who shall within thirty (30) days verify the signatures thereon and submit a written report to the Board.

A. Charter. Within thirty (30) days after the requisite number of names have been verified by the Supervisor of Elections and reported to the Board, the Board shall, by resolution, call a referendum on the question of the adoption of the proposed petition to be held at the next primary, general or special election occurring at least forty-five (45) days after the adoption of such resolution. If the question of the adoption of the proposed petition is approved by a majority of those registered electors voting on the question, the proposed petition shall be enacted and shall become effective on the date specified in the petition, or, if not so specified, on January 1 of the succeeding year.
B. **Ordinance.** Within thirty (30) days after the requisite number of names have been verified by the Supervisor of Elections and reported to the Board, the Board shall notice and hold a public hearing on the proposed petition according to law and vote on it. If the Board fails to adopt the proposed petition, it shall, by resolution, call a referendum on the question of the adoption of the proposed petition to be held at the next primary, general or special election occurring at least forty-five (45) days after the adoption of such resolution. If the question of the adoption of the proposed petition is approved by a majority of those registered electors voting on the question, the proposed petition shall be declared by resolution of the Board to be enacted and shall become effective on the date specified in the petition, or, if not so specified, on January 1, of the succeeding year. The Board shall not amend or repeal an ordinance adopted by initiative for a period of one (1) year after the effective date of such ordinance.

C. The initiative power shall not be restricted, except as provided by general law and this Charter.

*(Adopted November 1988)*

**Section 603. Limitation.**

The power to enact, amend or repeal an ordinance by initiative shall not include ordinances relating to administrative or judicial functions of County government, including but not limited to, County budget, debt obligations, capital improvement programs, salaries of County officers and employees and the levy and collection of taxes.

*(Renumbered pursuant to amendments adopted November 1988)*

**Section 604. Power of Recall.**

The electors of the County shall have the power to recall any elected Charter officer in accordance with the laws of the State of Florida.

*(Renumbered pursuant to amendments adopted November 1988)*

**ARTICLE VII**

**GENERAL PROVISIONS**

**Section 701. Charter Amendment by Board.**

The Board, by a majority vote of all members, shall have the authority to propose amendments to this Charter subject to referendum of the general electorate, at any primary, general or special election.

*(Amended November 1988)*

A. A Charter Review Commission shall be appointed by the Board. The Charter Review Commission shall consist of not less than eleven (11) members and not more than fifteen (15) members. All members of the Charter Review Commission shall be electors of the County. No elected official shall be appointed as a member of the Charter Review Commission.

B. The Charter Review Commission shall be empowered to conduct a comprehensive study of any or all phases of County government. The Charter Review Commission shall be appointed no later than February 1, of the year prior to a Presidential election year. A report of proposed amendments and revisions of the Charter shall be made public by the Charter Review Commission no later than August 1, of the Presidential election year. A Charter Review Commission will be appointed on a four-year cycle. Any proposed amendments or revisions to the Charter shall be placed on the ballot in November of each Presidential election year, and in four-year cycles thereafter, and they do not require the approval of the Board of County Commissioners.

C. The Charter Review Commission shall hold no less than four (4) public hearings prior to presenting proposed Charter revisions and amendments to the public.

D. The Charter Review Commission shall create and elect appropriate officers as it deems necessary and proper for the orderly conduct of its specific duties.

E. The Board shall defray any reasonable expenses of the Charter Review Commission.

(Amended November 1988)

Section 703. Constitutional Offices.

All constitutional offices shall remain as presently constituted.

Section 704. Conflict of County Ordinances With Municipal Ordinances; Pre-emption.

No County ordinance shall be effective within a municipality if the municipality maintains an ordinance covering the same subject matter, activity or conduct as the County ordinance, provided, however, that County ordinances shall be effective within municipalities and shall prevail over municipal ordinances only when the County shall set minimum standards protecting the environment by prohibiting or regulating air or water pollution, and only to the extent that such minimum standards are stricter than the applicable municipal standards. The intent of this section is that no person within a municipality shall be governed simultaneously by two (2) sets of ordinances
covering the same subject matter, activity or conduct, except in matters of minimum pollution standards. In the absence of an ordinance within a municipality on a subject, the County ordinance on that subject shall govern.

(Amended November 1988)

Section 705. Bonds.

The Board may issue bonds as provided by the general law of the State of Florida. All bonds, revenue certificates, and other financial obligations of the County outstanding on the effective date of this Charter shall continue to be the obligation of the County.

(Amended November 1988)

Section 706. Legal Actions Involving County.

In any legal actions by or against the County, the County as a corporate body, shall be the party named, and shall appear and participate in the cause on behalf of the division, officer or employee in such cause, other than constitutional officers and their employees, where such legal action involves matters within the scope of said department's, officer's, or employee's responsibilities.

Section 707. Code of Ethics.

The code of ethics, as provided by general law, shall have full effect on all employees and officeholders under the Charter Government. Penalty for violation shall be as provided by general law.

Section 708. Existing Contracts.

No provision of this Charter shall be construed to interfere with any valid contract entered into by the former County government.

Section 709. Uniform Budget Procedure.

All County divisions, offices, agencies and boards shall operate under a unified and uniform budget system. No officer or employee of the County shall be compensated by fees, and all fees collected by any division, office, agency or board shall be deposited in the County treasury.

Section 710. Effect on Special Acts.

In the furtherance of the orderly exercise of the power of local government for the benefit of the people in Orange County, the special acts of the legislature related to Orange County shall remain in full force and effect until amended or superseded by the legislative procedures and powers vested in the Charter Government of Orange County and by the Constitution and Laws of Florida.
Section 711. Home Rule Charter Transition.

Unless otherwise expressly provided for in this Home Rule Charter, the adoption of this Home Rule Charter shall not affect any existing obligations of Orange County, the validity of any of its ordinances, or the term of office of any elected County Officer which term shall continue as if this Charter had not been passed.

Section 712. (Repealed November 1988)
ELECTION RESULTS
ORANGE COUNTY CHARTER
NOVEMBER 8, 1988

Bill Cowles
Orange County Supervisor of Elections
November 8, 1988

Proposition #1
Single-Member County Commission Districts
Shall the five (5) members of the Orange County Commission of Orange County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?

YES for approval of amendment 104,293
NO for rejection of amendment 63,126

Of the voters participating in this election, 90.87% voted on this issue

Proposition #2
Orange County Charter Revision Providing for Six (6) Single-Member Districts, County Chairman, and Other Revisions.
Shall the Orange County Charter be revised increasing the number of County Commissioners from five (5) to six (6); providing for election of each commissioner only by the voters in their commission district; creating the office of County Chairman elected by all county voters and limited to two consecutive terms; specifying legislative and executive functions, powers and duties; revising the initiative process; allowing municipal ordinances to prevail over county ordinances and making other technical and related changes?

YES for approval of revision 93,078
NO for rejection of revision 72,753

Of the voters participating in this election, 90% voted on this issue