

# REVISED CHARTER OF NEW SMYRNA BEACH HIGHLIGHTS: A QUICK, QUICK LOOK



## WHAT'S NEW

### **Preamble:**

Articulates citizen aspirations for the governance of their city.

Note: The current city Charter does not contain a Preamble

### **Article II City Commission:**

Annual performance reviews for the City Manager, City Attorney and City Clerk by the City Commission

### **Article IV Charter Officers: City Manager; City Attorney; City Clerk**

Directs the City Manager to include not only the City Commission but also the Public in annual reports on the finances and administrative activities at the end of the fiscal year

### **Article V Financial Management**

Requires an independent annual audit of all city finances; provides for safeguards guaranteeing auditor independence; authorizes additional audits as needed; links budget to clear community goals.

Note: Independent audits are currently conducted but are not required in the current Charter

### **Article VI Sustainability (NEW to the Charter)**

Provides for the protection of the city's environment; requires development to the scale and character of neighborhoods; preserves historic neighborhoods; addresses reduction in the use of impervious materials; regulates sale of public land; requires the development of new septic tank policies.

### **Article VII Citizen Participation**

Provides detailed guidelines for citizen use of the Initiative and the Referendum; establishes a Charter review schedule; validates the creation of Advisory Boards

## WHAT'S GONE

- Chapters are gone. The revised Charter follows the current practice recommended by the National Civic League in its Model Charter of using Articles to address specific topics.
- Since the Charter of the City of New Smyrna Beach was last reviewed in its entirety, large sections of the current Charter have been made obsolete. Examples include:
  - Chapter V: Municipal Court and Judge; abolished by the Supreme Court of Florida on January 1, 1977.
  - The use of the male gender throughout the current Charter, a practice long discontinued.
  - Chapter 1 (City Organization); Chapter 3 (City Commission); Chapters 5, 6, 7, and 8 (administrative officers & finance); Chapters 9, 10, 11, 12 (streets, staff compensation and eminent domain) and 13 (elections).
  - Chapter 14 (miscellaneous) is a mix of many topics. Some sections have been redistributed to pertinent sections in Articles in the revised Charter and other sections have been nullified by Florida Statutes or moved to ordinances.

## SUMMARY

The revised City Charter is in every respect a Citizen's Charter as indeed is its constitutional purpose. It is user friendly in terms of ease of navigation to subjects of interest. The Charter also includes, for the first time, citizen direction both for the preservation and improvement of the quality of life that defines New Smyrna Beach.