

In the event of a Special Election or other election other than the primary or general election, the term of office of any elected official will commence on the third day after his or her election has been certified, at 12 o'clock noon, at which time the newly elected official shall be given an oath of office and installed in office, or as provided by State law, unless the commencement date falls on a legal or City holiday in which case the term of office will commence on the next day that is not a legal or City holiday.

Section 6.08. Council Districts.

(a) *Number of Districts.* There shall be seven (7) City Council districts.

(b) *Districting Commission; Composition; Appointment; Terms; Vacancies; Compensation.*

(1) There shall be a districting commission consisting of seven (7) members. The City Council shall appoint one (1) member from each of the seven (7) Council districts of the City.

(2) No member of the commission shall be employed by the City or hold any other elected or appointed position in the City.

(3) The City Council shall appoint the commission no later than one year and five months before the first general election of the City Council after each federal decennial census. The commission's term shall end upon adoption of a districting plan, as set forth in section 6.08(c).

(4) In the event of a vacancy on the commission by death, resignation or otherwise, the City Council shall appoint a new member from the same district from which his or her predecessor was selected to serve the balance of the term remaining.

(5) No member of the districting commission shall be removed from office by the City Council except for cause and upon notice and hearing.

(6) The members of the commission shall serve without compensation.

(7) The commission may hire or contract for necessary staff assistance and may require agencies of City government to provide technical assistance. The commission shall have a budget as provided by the City Council.

(c) *Powers and Duties of the Commission; Hearings, Submissions and Approval of Plan.*

(1) Following each decennial census, the commission shall consult the City Council and the Supervisor of Elections, and shall prepare a plan for dividing the City into districts for the election of Council Members. In preparing the plan, the commission shall be

guided by the criteria set forth in section 6.08(d). The report on the plan shall include a map and description of districts recommended.

(2) The commission shall hold one or more public hearings not less than one month before it submits the plan to the City Council. The commission shall make its plan available to the public for inspection and comment not less than one month before its public hearing.

(3) The commission shall submit its plan to the City Council not less than one year before the first general election of the City Council after each decennial census.

(4) The plan shall be deemed adopted by the City Council unless disapproved within three weeks by the vote of the majority of all Members of the City Council. If the City Council fails to adopt the plan, it shall return the plan to the commission with its objections and with the objections of individual Members of the Council.

(5) Upon rejection of its plan, the commission shall prepare a revised plan and shall submit such revised plan to the City Council no later than nine months before the first general election of the City Council after the decennial census. Such revised plan shall be deemed adopted by the City Council unless disapproved within two weeks by the vote of two-thirds of all the Members of the City Council and unless, by a vote of two-thirds of all of its Members, the City Council votes to file a petition in the circuit court in and for Escambia County, for determination that the plan fails to meet the requirements of this Charter. The City Council shall file its petition no later than ten days after its disapproval of the plan. Upon a final determination upon appeal, if any, that the plan meets the requirements of this Charter, the plan shall be deemed adopted by the City Council and the commission shall deliver the plan to the City Clerk. The plan delivered to the City Clerk shall include a map and description of the districts.

(6) If in any year population figures are not available at least one year and five months before the first general election following the decennial census, the City Council may, by local law, shorten the time periods provided for districting commission action in paragraphs (2), (3), (4), and (5) of this subsection.

(d) Districting Plan; Criteria. In preparation of its plan for dividing the City into districts for the election of Council Members, the commission shall apply the following criteria which, to the extent practicable, shall be applied and given priority in the order in which they are herein set forth.

(1) Districts shall be equal in population except where deviations from equality result from the application of the provisions hereinafter set forth, but no such deviation may exceed five percent (5%) of the average population for all City Council districts according to the figures available from the most recent census.

(2) Districts shall consist of contiguous territory; but land areas separated by waterways shall not be included in the same district unless said waterways are traversed by highway bridges, tunnels or regularly scheduled ferry services both termini of which are within the district, except that, population permitting, islands not connected to the mainland or to other islands by bridge, tunnel or regular ferry services shall be included in the same district as the nearest land area within the City.

(3) Consistent with the foregoing provisions, the aggregate length of all district boundaries shall be as short as possible.

(4) To the extent possible, consideration should be given to coordinating district lines for the various public offices, as well as precincts.

(5) The districts shall be based upon the principle of equal and effective representation as required by the United States Constitution and general law.

(e) *Effect of Enactment.* The new City Council districts and boundaries as of the date of enactment shall supersede previous Council districts and boundaries for all purposes of the next regular City election, including nominations. The new districts and boundaries shall supersede previous districts and boundaries for all other purposes as of the date on which all Council Members elected at that regular City election take office.

ARTICLE VII RECALL, INITIATIVE, AND REFERENDUM

Section 7.01. Recall.

The qualified electors of the City of Pensacola shall have the power of recall to remove the Mayor or a Member of the City Council in the same manner provided by general law in Florida Statute § 100.361, as that provision may from time to time be amended.

Section 7.02. Power of Initiative.

City electors shall have the power to propose ordinances to the City Council. If the City Council fails to adopt an ordinance so proposed without any change in substance, the electors have the power to adopt or reject the proposed ordinance at a City election. The electors are not empowered to propose ordinances that extend to providing an annual budget, levying taxes, or setting salaries of City officers or employees.

Section 7.03. Power of Referendum.

Within sixty (60) days following the effective date of a measure passed by City Council, City electors shall have the power to require reconsideration by the City Council of any measure passed by City Council. If the City Council fails to repeal a measure so reconsidered, the electors have the power to approve or reject the reconsidered measure at a City election. The