

ORDINANCE 2026-03

AN ORDINANCE OF THE TOWN OF HILLIARD, NASSAU COUNTY, FLORIDA, AMENDING THE TOWN CHARTER TO REFLECT THE INTEGRATION OF A TOWN MANAGER; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS, PUBLICATION, AND EFFECTIVE DATE.

WHEREAS, since its incorporation, the Town of Hilliard has only had administrative department heads overseen by the Town Council; and

WHEREAS, the Town of Hilliard has never had a single authority overseeing the Town's administration, except the Town Council, although the Town Clerk serves as the chief administrative officer; and

WHEREAS, the Town of Hilliard has experienced substantial growth in both population and complexity, and continues to expand, thereby creating a pressing need for a chief administrator to effectively oversee and manage its evolving responsibilities; and

WHEREAS, the Town of Hilliard desires to create the role of Town Manager as the chief executive and administrative officer of the Town; and

WHEREAS, the passage of this ordinance is intended to ensure that the Charter of the Town of Hilliard properly reflects leadership roles and procedures.

SECTION 1: AUTHORITY

The Town Council of the Town of Hilliard has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2: CREATING A NEW AMENDMENT

The Hilliard Town Charter shall amend its articles to create Article V, "Town Manager" and it shall read as follows:

ARTICLE V. - TOWN MANAGER

Sec. 5.01. - Town Manager - Powers and duties.

The Town Manager shall be chief executive officer and the head of the administrative branch of the Town. The Town Manager shall be responsible to the Town Council for the proper administration of all affairs of the Town and to that end, the Town Manager shall have power and shall be required to:

(1) Appoint and, when necessary for the good of the Town, remove all officers and employees of the Town except as otherwise provided by this Charter and except as the Town Manager may authorize the head of a department or office, to appoint and remove subordinates in such department or office;

(2) Prepare the budget annually and submit it to the council and be responsible for its administration after adoption;

(3) Prepare and submit to the council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the Town for the preceding year;

(4) Keep the council advised of the financial condition and future needs of the Town and make such recommendations as may seem to the Town Manager desirable;

(5) Attend all meetings of the Town Council and of its committees and keep the council advised of the activities of the Town Manager office, with the right to take part in the discussions but without having a vote;

(6) See that all laws, provisions of this charter and acts of the Town Council are faithfully executed; and

(7) Perform such other duties as may be prescribed under this Charter or as may be required by the Town Manager by ordinance or resolution of the Town Council.

Sec. 5.02. - Town Manager - Absence or disability.

If the Town Manager has deputized a department head or if someone was hired for a role as Deputy Town Manager, then in the event the Town Manager cannot perform the Town Manager's duties, the deputized person or Deputy Town Manager, as may be the case, will fill the role. Otherwise, to perform the Town Manager duties during the Town Manager's temporary absence or disability, the Town Manager may designate by letter filed with the Town Clerk and Mayor a qualified administrative officer of the Town as acting Town Manager; provided, however, the appointment shall not be for a period longer than thirty (30) days. In the event of failure of the Town Manager to make such designation, or in the event the Town Manager is absent or disabled for a period longer than thirty (30) days, the Council shall appoint a qualified person as acting Town Manager.

SECTION 3: AMENDING ARTICLE V "TOWN CLERK"

Article V of the Hilliard Town Charter, "Town Clerk," is hereby amended to read as follows:

ARTICLE VVI. - TOWN CLERK

Section 56.01. - Appointment; qualifications; compensation.

The Town Council by a majority vote of its total voting membership shall appoint a Town Clerk for an indefinite term and fix the clerk's compensation. The Town Clerk shall be appointed solely on the basis of executive and administrative qualifications. The clerk need not be a resident of the Town of Hilliard or State of Florida at the time of appointment; however, within a period of six (6) months from the date of hire, he/she must establish residency within the limits of the Town.

Section 56.02. - Removal.

The Town Clerk may be suspended or removed by a resolution approved by of the majority of the total voting membership of the Town Council. The clerk shall serve at the will of the Council and he/she may be removed without explanation of reasons or grounds.

Section 56.03. - Powers and duties of the Town Clerk.

~~The Town Clerk shall be the chief administrative officer of the Town, responsible to the Council for the administration of all Town affairs placed in the clerk's charge by or under this charter. The Town Clerk shall:~~

- (1) Attend all Town Council meetings. The Town Clerk shall have the right to take part in discussion but shall not vote;
- ~~(2) See that all laws, provisions of this charter and acts of the Town Council, subject to enforcement by the Town Clerk or by officers subject to the clerk's direction and supervision, are faithfully executed;~~
- ~~(23) Act as the custodian of official town records and be responsible to the Town Council for record-keeping; Prepare and submit the annual budget and capital program to the Town Council;~~
- ~~(4) Submit to the Town Council and make available to the public a complete report on the finances and administrative activities of the Town as of the end of each fiscal year;~~
- ~~(5) Keep the Town Council fully advised as to the financial condition and future needs of the Town;~~
- ~~(6) Make recommendations to the Town Council concerning the affairs of the Town;~~
- ~~(37) Provide staff support services to the Town Council and Planning and Zoning Board consistent with the Town Clerk's other responsibilities for the mayor and council members;~~
- (48) Perform such other duties as are specified in this charter or may be required by the Town Council.

SECTION 4: AMENDING ARTICLE VI "DEPARTMENTS, OFFICES AND AGENCIES"

Article VI of the Hilliard Town Charter, "Departments, Offices and Agencies," is hereby amended to read as follows:

ARTICLE VII. - DEPARTMENTS, OFFICES AND AGENCIES

Section 67.01. - General provisions.

- (a) *Creation of Departments.* The Town Council may establish Town departments, offices or agencies in addition to those created by this charter and may prescribe the functions of all

departments, except that no function assigned by this charter to a particular department may be discontinued or, unless this charter specifically so provides, assigned to any other.

- (b) *Direction of Departments.* All departments shall be administered by an officer appointed by and subject to the direction and supervision of the Town Manager Council. With the consent of Council, the Town Manager Clerk may serve as the head of one or more such departments.

Section 67.02. - Personnel system.

- (a) *Merit Principle.* All appointments and promotions of Town officers and employees shall be made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or other evidence of competence.
- (b) *Merit System.* Consistent with all applicable federal and state laws, the Town Council shall provide by ordinance for the establishment, regulation and maintenance of a merit system governing personnel policies necessary to the effective administration of the employees of the Town's departments, including but not limited to classification and pay plans, examinations, force reduction, removals, working conditions, provisional and exempt appointments, in-service training, grievances and relationships with employee organizations.

Section 67.03. - Legal officer.

There shall be a legal officer of the Town appointed by the Town Council. The legal officer shall serve as chief legal adviser to the Council, the Town Manager Clerk and all Town departments. He shall represent the Town in all legal proceedings and shall perform any other duties prescribed by state law, by this charter or by ordinance.

Section 67.04. - Planning.

Consistent with all applicable federal and state laws with respect to land use, development and environmental protection, the Town Council shall designate a planning and zoning board to carry out the planning function and such decision-making responsibilities as may be specified by ordinance.

SECTION 5: AMENDING ARTICLE VII "FINANCIAL PROCEDURES"

Article VII of the Hilliard Town Charter, "Financial Procedures," is hereby amended to read as follows:

ARTICLE VIII. - FINANCIAL PROCEDURES

Section 78.01. - Fiscal year.

The fiscal year of the Town of Hilliard shall begin on the first day of October and end on the last day of September.

Section 78.02. - Submission of budget.

A final budget shall be submitted by the Town Manager Clerk to the Council in sufficient time to permit them to comply with all governing Town, county and state laws.

Section 78.03. - Budget message.

During the first public hearing on the proposed budget for the ensuing year the Town Manager Clerk shall deliver, to the Council, a budget message which will explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the Town for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the Town's debt position and include such other material as the Town Manager Clerk deems desirable.

Section 78.04. - Budget.

The budget shall provide a complete financial plan of all Town funds and activities for the ensuing fiscal year and except as required by law or this charter, shall be in such form as the law requires or the Town Council may require. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (1) The proposed goals and objectives and expenditures for current operations during the ensuing fiscal year, detailed for each fund by department and program, purpose or activity, and the method of financing such expenditures;
- (2) Proposed capital expenditures during the ensuing fiscal year, detailed for each fund by department when practicable, and the proposed method of financing each such capital expenditure; and
- (3) The anticipated income and expense and profit and loss for the ensuing year for each utility or other enterprise fund operated by the Town.

For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance, exclusive of reserves.

Section 78.05. - Town Council action on budget.

- (a) *Notice and Hearing.* The Town Council shall publish in one or more newspapers of general circulation in the Town the general summary of the budget and a notice stating:
 - (1) The times and places where copies of the budget are available for inspection by the public, and
 - (2) The time and place, not less than two weeks after such publication for a public hearing on the budget.

- (b) *Amendment Before Adoption.* After the public hearing, the Town Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.
- (c) *Adoption.* The Town Council shall adopt the budget for the coming year on or before the last day of the twelfth (12th) month of the fiscal year currently ending. If it fails to adopt the budget by this date, the budget proposed by the Town Manager Clerk shall go into effect until such time as the council adopts a budget.

Section 78.06. - Appropriation and revenue ordinances.

To implement the adopted budget, the Town Council shall adopt, prior to the beginning of the ensuing [ensuing] fiscal year:

- (a) An appropriation ordinance making appropriations by department and authorizing a single appropriation for each program or activity;
- (b) A tax levy ordinance authorizing the property tax levy or levies and setting the tax rate or rates; and
- (c) Any other ordinances required to authorize new revenues or to amend the rates or other features of existing taxes or other revenue sources.

Section 78.07. - Amendments after adoption.

- (a) *Supplemental Appropriations.* If during the fiscal year the Town Manager Clerk certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Town Council by ordinance may make supplemental appropriations for the year up to the amount of such excess.
- (b) *Emergency Appropriations.* To meet a public emergency affecting life, health, property or the public peace, the Town Council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of § 4.13. To the extent that there are no available unappropriated revenues or a sufficient fund balance to meet such appropriations, the Council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.
- (c) *Reduction of Appropriations.* If at any time during the fiscal year it appears probable to the Town Manager Clerk that the revenues or fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the Town Manager Clerk shall report to the Town Council without delay, indicating the estimated amount of the deficit, any remedial action taken by the clerk and recommendations as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent

or reduce any deficit and for that purpose it may by ordinance reduce one or more appropriations.

- (d) *Transfer of Appropriations.* At any time during the fiscal year the Town Council may by resolution transfer part or all of the unencumbered or unrestricted appropriation balance from one department to the appropriation for other departments. The Town Manager Clerk may transfer part or all of any unencumbered or unrestricted appropriation balances among programs within a department and shall report such transfers to the council in writing in a timely manner.
- (e) *Limitation; Effective Date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 78.08. - Lapse of appropriations.

Every appropriation shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered.

Section 78.09. - Overspending of appropriations prohibited.

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Town Manager Clerk or ~~his~~ the Town Manager's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this charter shall be void and any payment so made illegal. A violation of the provision shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation. Such officer may also be liable to the Town for any amount so paid. Except where prohibited by law, however, nothing in this charter shall be construed to prevent the making or authorizing of payment or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, but only if such action is made or approved by ordinance.

Section 78.10. - Capital program.

- (a) *Submission to Town Council.* The Town Manager Clerk shall prepare and submit a five-year capital program, for review, to the Council no later than the final date for submission of the proposed budget as outlined in section 78.02.
- (b) *Contents.* The capital program shall include:
 - (1) A clear general summary of its contents;

- (2) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
- (3) Cost estimates and recommended time schedules for each improvement or other capital expenditure;
- (4) Method of financing, upon which each capital expenditure is to be reliant; and
- (5) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 78.11. - Public records.

Copies of the budget, capital program and appropriation and revenue ordinances shall be public records and shall be made available to the public at suitable places in the Town.

SECTION 6: AMENDING ARTICLES VIII THROUGH XII TO ACCOUNT FOR RENUMBERING

Article VIII through Article XII are hereby amended to read as follows:

ARTICLE IX VIII. - ELECTIONS

Section 89.01. - Town elections.

- (a) *Regular Elections.* The regular Town election shall be held on the first Tuesday after the first Monday in November each year.
- (b) *Registered Voter defined.* All Town residents legally registered under the constitution and laws of the State of Florida to vote shall be registered voters of the Town of Hilliard within the meaning of this charter.
- (c) *Conduct of Elections.* The provision of the general election laws of the State of Florida shall apply to elections held under this charter. All elections provided for by the charter shall be conducted by the election authorities established by law. Candidates shall run for office without party designation. For the conduct of Town elections, for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud, the Town Council shall adopt ordinances consistent with law and this charter, and the election authorities may adopt further regulations consistent with law and this charter and the ordinances of the Council. Such ordinances and regulations pertaining to elections shall be publicized in the manner of Town ordinances generally.

Section 89.02. - Initiative and referendum.

The powers of initiative and referendum are hereby reserved to the electors of the Town. The provisions of the election law of the State of Florida, as they currently exist or may hereafter be amended or superseded, shall govern the exercise of the powers of initiative and referendum under this charter.

ARTICLE IX. - GENERAL PROVISIONS

Section 910.01. - Conflicts of interest.

The use of public office for private gain is prohibited. This section shall prohibit an elected officer from acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official, the use of confidential information; and appearances by Town officials before other Town agencies on behalf of private interests. This section shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual matters and, insofar as permissible under Florida state law, shall provide for fines and imprisonment for violations.

Section 910.02. - Prohibitions.

(a) Activities Prohibited.

- (1) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any Town position or appointive Town administrative office because of race, gender, age, handicap, religion, country of origin or political affiliation.
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provision, rules and regulations.
- (3) No person who seeks appointment or promotion with respect to any Town position or appointive Town administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion.
- (4) No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any Town election from any Town employee.
- (5) No Town employee shall knowingly or willfully ask, solicit or receive any contribution to the campaign funds to be used in support or opposition to any candidate for election to Town office or Town ballot issue. Further, no Town employee shall knowingly or willfully participate in any aspect of any political campaign on behalf of or opposition to any candidate for Town office. This section shall not be construed to limit any person's right to exercise rights as a citizen to express opinions or to cast a vote nor shall it be construed to prohibit any person from active participation in political campaigns at any other level of government.

- (b) *Penalties.* Any person convicted of a violation of this section shall be ineligible for a period of five years following such conviction to hold any Town office or position and, if an officer or employee of the Town, shall immediately forfeit his or her office or position.

ARTICLE XI. - CHARTER AMENDMENT

Section 110.01. - Proposal of amendment.

Amendments to this charter may be framed and proposed:

- (a) In the manner provided by law; or
- (b) By ordinance of the Town Council containing the full text of the proposed amendment and effective upon adoption; or
- (c) By report of a charter commission created by ordinance; or
- (d) Any five qualified voters may initiate proceedings to amend the charter by filing with the Town Clerk an affidavit stating they will constitute the petitioner's committee and that they will undertake and be responsible for circulating the petition they have signed and submitted with their affidavit. The petition and affidavit shall set forth the petitioner's names and addresses, designating a single address to which notices may be sent and setting forth in specific detail the full proposed charter amendment. No petition shall include more than one subject matter. Upon the submission of a proper petition and affidavit, the Town Clerk shall issue the appropriate petition blanks to the petitioners' committee. The petition blanks shall be attached to a copy of the petition containing the proposed charter amendment. The petition blanks must be signed by at least twenty percent of the total number of registered voters at the time of the last regular Town election. The petitioner's committee shall have sixty days from the date they are issued the petition blanks to obtain the required signatures, otherwise the process shall automatically cease. The petitioner's committee may withdraw the petition at any time before the fifteenth day immediately preceding the day scheduled for the Town vote on the amendment.

Section 110.02. - Election.

Upon delivery to the Town election authorities of the report of a charter commission pursuant to § 110.01(c) or delivery by the Town Clerk of an adopted ordinance proposing an amendment pursuant to § 110.01(b) or a petition finally determined sufficient proposing an amendment pursuant to § 110.01(d), the election authorities shall submit the proposed amendment to the voters of the Town at an election. Such election shall be announced by a notice containing the complete text of the proposed amendment and published in one or more newspapers of general circulation in the Town at least 30 days prior to the date of the election. If the amendment is proposed by petition, the amendment may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for the election by filing with the Town Clerk a request for withdrawal signed by at least four members of the petitioners' committee. The election shall be held not less than 60 and not more than 120 days after the adoption of the ordinance or report or the final determination of sufficiency of the petition proposing the amendment. If no regular election is to be held within that period, the Town Council shall provide for a special election on the proposed amendment; otherwise, the holding of a special election shall be as specified in the Florida state election law.

Section 110.03. - Adoption of amendment.

If a majority of the registered voters of the Town voting upon a proposed charter amendment vote in favor of it, the amendment shall become effective at the time fixed in the amendment or, if no time is therein fixed, 30 days after its adoption by the voters.

ARTICLE XII. - TRANSITION/SEPARABILITY PROVISION

Section 124.01. - Officers and employees.

- (a) *Rights and Privileges Preserved.* Nothing in this charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are Town officers or employees at the time of its adoption.
- (b) *Continuance of Office or Employment.* Except as specifically provided by this charter, if at the time this charter takes full effect a Town administrative officer or employee holds any office or position which is or can be abolished by or under this charter, he or she shall continue in such office or position until the taking effect of some specific provision under this charter directing that he or she vacate the office or position.
- (c) *Personnel System.* An employee holding a Town position at the time this charter takes full effect, who was serving in that same or a comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to the personnel system provided for in § 67.02.

Section 124.02. - Departments.

- (a) *Transfer of Powers.* If a Town department is abolished by this charter the powers and duties given it by law shall be transferred to the Town Manager Clerk, unless otherwise determined by the Town Council.
- (b) *Property and Records.* All property, records and equipment of any department existing when this charter is adopted shall be transferred to the department assuming its powers and duties. In the event that the powers or duties are to be discontinued or divided between departments or in the event that any conflict arises regarding a transfer, such property, records or equipment shall be transferred to one or more department, offices or agencies designated by the Town Council in accordance with this charter.

Section 124.03. - Pending matters.

All rights, claims, actions, orders, contracts and legal administrative proceedings shall continue except as modified pursuant to the provisions of this charter and in each case shall be maintained, carried on or dealt with by the Town department, appropriate under this charter.

Section 124.04. - State and municipal laws.

- (a) *In General.* All Town ordinances, resolutions, orders and regulations which are in force when this charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto. To the extent that the constitution and laws of the State of Florida permit, all laws relating to or affecting this Town, officers or employees which are in force when this charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto.
- (b) *Specific Provision.* Without limitation of the general operation of subsection (a) or of the number or nature of the provisions to which it applies:
 - (1) The following laws and parts of laws generally affecting Towns or Town agencies, officers or employees are applicable to the Town of Hilliard or its agencies, officers or employees:
LIST ORDINANCES
 - (2) Any existing ordinance, not referenced above, shall become null and void upon adoption of this charter.

Section 124.05. - Schedule.

- (a) *Council Members and Mayor.* The existing terms of council members and the mayor shall continue until such time as their successors are elected hereunder. The powers and duties of such persons shall be as set forth herein.
- (b) *Ordinances.* All existing ordinances, not in conflict herewith, shall remain in full force and effect for a period of three years after the adoption of this charter, or until the codification of the ordinances whichever shall first occur. At the expiration of such time, all ordinances and resolutions heretofore existing shall terminate.
- (c) *First Council Meeting.* On the first Thursday of the month following the first election of Town Council members under this charter, the newly elected members of the Council shall meet at 7:30 p.m. at the Hilliard Town Hall:
 - (1) For the purpose of electing the Council president, appointing or considering the appointment of a Town Clerk or acting Town Clerk and choosing, if it so desires, one of its members to act as temporary clerk pending appointment of a Town Clerk pursuant to § 4.08[§ 56.01]; and
 - (2) For the purpose of adopting ordinances and resolutions necessary to effect the transition of government under this charter and to maintain effective Town government during that transition.
- (d) *Temporary Ordinances.* In adopting ordinances as provided in § 124.05(c), the Town Council shall follow the procedures prescribed in Article IV, except that at its first meeting or any meeting held within 60 days thereafter, the Council may adopt temporary ordinances to deal with cases in which there is an urgent need for prompt action in connection with the transition

of government and in which the delay incident to the appropriate ordinance procedure would probably cause serious hardship or impairment of effective Town government. Every temporary ordinance shall be plainly labeled as such but shall be introduced in the form and manner prescribed for ordinances generally. A temporary ordinance may be considered and may be adopted with or without amendment or rejected at the meeting at which it is introduced. After adoption of a temporary ordinance the Council shall cause it to be printed and published as prescribed for other adopted ordinances. A temporary ordinance shall become effective upon adoption or at such later time preceding automatic repeal under this subsection as it may specify, and the referendum power shall not extend to any such ordinance. Every temporary ordinance, including any amendments made thereto after adoption, shall automatically stand repealed as of 91st day following the date on which it was adopted, renewed, or otherwise continued except by adoption in the manner prescribed in Article IV or ordinances of the kind concerned.

Section 124.06. - Separability.

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby. If the application of the charter or any of its provision to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE XIII. - ADOPTION AND EFFECTIVE DATE

Section 132.01. - [Approval at election.]

This Ordinance shall not take effect until after its ratification and approval held at a special election called and provided by the Town Council, said election to be called and held at the next general election in accordance with F.S. § 166.031. The election shall be participated in only by those qualified electors residing in the boundaries of the Town.

Section 132.02. - [Ballot question.]

The ballot which will be voted upon at said election shall have the question:

For the Establishing of a New Town Charter and Against the Establishing of a New Town Charter

Section 132.03. - [Effective date.]

Upon ratification, this Ordinance shall take effect January 1, 1995.

That the Town of Hilliard, in Nassau County, Florida, shall have perpetual succession. The Town shall have the use of a Common Seal.

SECTION 7: CONFLICT

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 8: SEVERABILITY

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

SECTION 9: CODIFICATION

The text of Section 2 to 6 of this Ordinance shall be codified as a part of the Hilliard Town Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

SECTION 10: ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS

Regardless of whether such inclusion in the Code as described in Section 2 to 6 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Clerk or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

SECTION 11: PUBLICATION AND EFFECTIVE DATE

This Ordinance and its Amendments shall be effective on January 2, 2029, contingent upon approval by a majority vote of the Town's qualified electors at a referendum conducted in accordance with Section 166.031, Florida Statutes.

PASSED AND ADOPTED by the Town of Hilliard, Nassau County, Florida on this 2nd day of July, 2026.



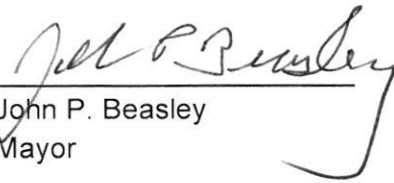
Kenneth A. Sims, Sr.
Council President

ATTEST:



Lisa Purvis
Town Clerk

APPROVED:



John P. Beasley
Mayor

Town Council First Reading:	June 4, 2026
Town Council Publication:	June 17, 2026
Town Council Public Hearing:	July 2, 2026
Town Council Final Reading:	July 2, 2026