

ARTICLE X. - GENERAL PROVISIONS

§ 10.01. - Code of ethics for city officers and employees.

The conduct of City officers and employees shall comply with State and local law.

§ 10.02. - 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 city position or appointive city administrative office because of such individual's, race, color, religion, sex, sexual orientation, national origin, age, handicap, marital status, political opinions or affiliations, and/or any other class protected under federal, state or local law. (Ord. 25-15, 6-15-15; approved by referendum vote on November 3, 2015)
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the personnel 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 provisions, rules and regulations.
- (3) No person who seeks appointment or promotion with respect to any city position or appointive city 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 that person's test, appointment, proposed appointment, promotion or proposed promotion.

- (b) *Penalties.* Any person who alone or with others willfully violates any of the provisions of paragraphs (1) through (3) shall be ineligible for a period of five (5) years thereafter to hold any city office or position and, if an officer or employee of the city, shall forfeit that office or position.

§ 10.03. - Charter amendment.

Amendments to the City Charter may be proposed by any method authorized by law, including but not limited to petition of electors or by ordinance.

Further, beginning in 2016 and at least every six (6) years thereafter, City Council shall appoint a Charter Commission consisting of seven (7) regular members and two (2) alternate members to make Charter amendment recommendations to City Council. When substituting for an absent member, an alternate member may vote and participate in all discussions of the Charter Commission in the same manner and to the same extent as the regular members of the Charter Commission. When not substituting for an absent member, an alternate member shall not vote on any matter before the Charter Commission, but may

participate in all discussions of the Charter Commission in the same manner and to the same extent as the regular members of the Charter Commission. (Ord. 26-15, 6-15-15; approved by referendum vote on November 3, 2015)

§ 10.04. - Severability.

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 provisions 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.

§ 10.05. - Geographical districts.

The boundaries of the seven (7) geographical districts in the City of Cape Coral, Florida, as revised, are described as follows:

- (1) **Southeast District (1): Commencing** at the centerline intersection of Veteran's Memorial Parkway and Del Prado Boulevard; Thence northerly along the centerline of Del Prado Boulevard to an intersection with the westerly prolongation of the centerline of Honolulu Canal to the **Point of Beginning** of this description; Thence easterly along the prolongation of the centerline of Honolulu Canal to the centerline intersection of Meade Canal; Thence southerly along the centerline of Meade Canal to the centerline intersection of Chantry Canal; Thence easterly along the centerline of Chantry Canal to easterly city limits of the City of Cape Coral, Florida, being a point on the west bank of the Caloosahatchee River; Thence southerly, and southeasterly along the easterly city limits of the City of Cape Coral, Florida and the west of the Caloosahatchee River to the centerline of Bimini Canal; Thence northerly along the centerline of Bimini Canal to the centerline of San Carlos Canal; Thence northerly along the centerline of San Carlos Canal to the centerline of Cape Coral Parkway, Thence easterly along the centerline of Cape Coral Parkway to the centerline of SE 1st Place; Thence northerly along the centerline of SE 1st Place to the centerline of SE 47th Terrace; Thence easterly along the centerline of SE 47th Terrace to an intersection with the southerly prolongation of the centerline of Rubicon Canal; Thence northerly along the southerly prolongation of the centerline of Rubicon Canal to the south end of the Rubicon Canal; Thence northerly along the centerline of the Rubicon Canal to an intersection with the southerly prolongation of the centerline of Montevideo Canal; Thence northerly along the southerly prolongation of the centerline of Montevideo Canal to the centerline intersection of Country Club Boulevard; Thence northeast along the centerline of Country Club Boulevard to the centerline intersection of Viscaya Parkway; Thence easterly along the centerline of Viscaya Parkway to

the centerline of Del Prado Boulevard; Thence southerly along the centerline of Del Prado Boulevard to the westerly prolongation of the center line of Honolulu Canal and the **Point of Beginning**.

- (2) **Southwest District (2): Beginning** at the centerline intersection of Veteran's Memorial Parkway and Chiquita Boulevard South; Thence easterly along the centerline of Veteran's Memorial Parkway to the centerline of Aries Canal; Thence southerly along the centerline of Aries Canal to the centerline of Shaughnessey Canal; Thence westerly along the centerline of Shaughnessey Canal to the centerline of Tahita Canal; Thence southerly along the centerline of Tahita Canal to the centerline of Barkentine Canal; Thence westerly along the centerline of Barkentine Canal to the centerline of Enterprise Canal; Thence southerly along the centerline of Enterprise Canal to the centerline of Saunook Canal; Thence westerly along the centerline of Saunook Canal to the northwest corner of Lot 13, Block 3221, Unit 66 Cape Coral Subdivision; Thence south along westerly line of Lot 13 to the centerline of SW 39th Terrace; Thence easterly along the centerline of SW 39th Terrace to the centerline of SW 11th Place; Thence southerly along the centerline SW 11th Place to the centerline of Mohawk Parkway; Thence easterly along the centerline of Mohawk Parkway to the centerline of SW 11th Avenue; Thence southerly along the centerline of SW 11th Avenue to the extension of the northwest corner of Lot 4, Block 3346, Unit 65 Cape Coral Subdivision; Thence southwesterly along the northerly line of Lot 4 to the centerline intersection of Vaquero Canal and Rogue Canal; Thence southerly along the centerline of Rogue Canal, Finisterre Lake and Sitzmark Canal to the centerline of SW 44th Street; Thence westerly along the centerline of SW 44th Street to the centerline of SW 11th Avenue; Thence southerly along the centerline of SW 11th Avenue to the intersection the centerline of SW 47th Terrace; Thence westerly along the centerline of SW 47th Terrace to the Centerline of SW 11th Court; Thence southerly along the centerline of SW 11th Court to the centerline intersection of Cape Coral Parkway; Thence easterly along the centerline of Cape Coral Parkway West to the centerline of San Carlos Canal; Thence southerly along the centerline of San Carlos Canal and Bimini Canal to an intersection with the west bank of the Caloosahatchee River and the southeasterly city limits of the City of Cape Coral, Florida; Thence southerly, westerly and Northerly along the city limits of the City of Cape Coral, Florida to the intersection with the northerly line of the Section 31, Township 44 South, Range 23 East, Thence easterly along northerly line of the Section 31, Township 44 South, Range 23 East and the northerly line of Section 32, Township 44 South, Range 23 East to the centerline intersection of Miracle Parkway; Thence easterly along the centerline of Miracle Parkway to the southerly extension of the centerline of Sandoval Boulevard; Thence northerly along said centerline extension to the intersection of Veteran's Memorial Parkway; Thence easterly along the center line of Veteran's Memorial Parkway to the intersection of Surfside Boulevard; Thence northerly along the centerline of Surfside Boulevard centerline intersection of SW 22nd Terrace; Thence easterly along the centerline of SW 22nd Terrace to the centerline

intersection of SW 20th Avenue; thence southerly along the centerline of SW 20th Avenue to the centerline intersection of Veteran's Memorial Parkway; Thence easterly along the centerline of Veteran's Memorial Parkway to Chiquita Boulevard South and the **Point of Beginning**.

- (3) **East Central District (3): Beginning** at the centerline of Pine Island Road SW at the intersection with the centerline of Cultural Park Boulevard; thence Northeasterly along the centerline of Pine Island Road SW to the intersection with the Easterly limits of the City of Cape Coral; thence Southerly, Easterly and Westerly along the Easterly line of the limits of the City of Cape Coral to the intersection with the Caloosahatchee River; Thence southerly to the intersection with the centerline of the Chantrey Canal; Thence westerly along said centerline to an intersection with the centerline of Meade Canal; Thence northerly along said centerline to an intersection with the centerline of Honolulu Canal; Thence westerly along said centerline to an intersection with the centerline of Del Prado Boulevard South; Thence northerly along said centerline to an intersection with the centerline of Viscaya Parkway; Thence westerly along the centerline of Viscaya Parkway to the intersection with the centerline of Country Club Boulevard; Thence southwesterly along the centerline of Country Club Boulevard to an intersection with the centerline of Montevideo Canal; Thence southeasterly along said centerline to an intersection with the centerline of Rubican Canal; Thence southerly along said centerline to an intersection with the centerline of Magnolia Canal; Thence westerly to an intersection with an extension of S.E. 10th Avenue; Thence southerly along said extension and the centerline of S.E. 10th Avenue to an intersection with the centerline of S.E. 28th Terrace; Thence westerly along said centerline to the intersection with the centerline of Country Club Boulevard; Thence northerly along said centerline to the intersection with the centerline of Archer Parkway; Thence along said centerline to the intersection with the centerline of Academy Boulevard; Thence along said centerline to the intersection with the centerline of S.E. 28th Terrace; Thence along said centerline to the intersection with the centerline of S.E. 6th Avenue; Thence northerly along said centerline and its extension of S.E. 6th Avenue to the intersection with the centerline of South Retunda Canal; Thence along said centerline to the intersection with the centerline of San Carlos Canal; Thence northerly along said centerline to the intersection with the centerline of Damao Canal; Thence westerly along said centerline to the intersection with the centerline of S.E. Santa Barbara Place; Thence northerly along said centerline to the intersection with the centerline of S.E. 20th Street; Thence westerly along said centerline to the intersection with the centerline of Santa Barbara Boulevard; Thence northerly along said centerline to the intersection with the centerline of S.E. 10th Terrace; Thence easterly along said centerline to the intersection with the centerline of S.E. 4th Avenue; Thence northerly along said centerline to the intersection with the centerline of S.E. 10th Lane; Thence easterly along said centerline to the intersection with the centerline of S.E. 4th Place; Thence northerly along said centerline to the intersection with the centerline of S.E.

9th Street; Thence easterly along said centerline to the intersection with the centerline of S.E. 5th Avenue; Thence northerly along said centerline to the intersection with the centerline of S.E. 8th Terrace; Thence easterly along said centerline to the intersection with the centerline of S.E. 6th Court; Thence northerly along said centerline to the intersection with the centerline of S.E. 8th Street; Thence easterly along said centerline to the intersection with the centerline of Cultural Park Boulevard; Thence northerly along said centerline to the intersection with the centerline of Pine Island Road SW and the **Point of Beginning**.

- (4) **Southeast Central District (4): Beginning** at the centerline intersection of Cape Coral Parkway West and Skyline Boulevard; Thence westerly along the centerline of Cape Coral Parkway West to the centerline of SW 11th Court; Thence northerly along the centerline of SW 11th Court to the centerline of SW 47th Terrace; Thence easterly along the centerline of SW 47th Terrace to the centerline of SW 11th Avenue; Thence northerly along the centerline of SW 11th Avenue to the centerline intersection SW 44th Street; Thence easterly along the centerline of SW 44th Street and its extension to the centerline of Sitzmark Canal; Thence northerly along the centerline of Sitzmark Canal, Finisterre Lake and Rogue Canal to the centerline intersection of Rogue Canal and Vaquero Canal; Thence northwesterly to the northeast corner of Lot 4, Block 3346, Unit 65 Cape Coral Subdivision; Thence northwesterly along said north line and its extension to the centerline of SW 11th Avenue; Thence northerly along the centerline of SW 11th Avenue to the centerline of Mohawk Parkway; Thence westerly along the centerline of Mohawk Parkway to the centerline of SW 11th Place; Thence northerly along the centerline of SW 11th Place to the centerline of SW 39th Terrace; Thence westerly along the centerline of SW 39th Terrace to the extension of the west line of Lot 13, Block 3221, Unit 66 Cape Coral Subdivision; Thence north along said property line and its extension to the centerline of Saunook Canal; Thence easterly along the centerline of Saunook Canal to the centerline intersection Enterprise Canal; Thence northerly along the centerline of Enterprise Canal to the centerline of Barkentine Canal; Thence easterly along the centerline of Barkentine Canal to the centerline of Tahita Canal; Thence northerly along the centerline of Tahita Canal to the centerline of Shaughnessey Canal; Thence easterly along the centerline of Shaughnessey Canal to the centerline of Aries Canal; Thence northerly along the centerline of Aries Canal to the centerline intersection of Veteran's Memorial Parkway; Thence easterly along the centerline of Veteran's Memorial Parkway to the centerline of Skyline Boulevard; Thence northerly along the centerline of Skyline Boulevard to the centerline of SW 22nd Terrace; Thence easterly along the centerline of SW 22nd Terrace to the centerline of SW 7th Place; Thence northerly along the centerline of SW 7th Place to the centerline of SW 22nd Street; Thence easterly along the centerline of SW 22nd Street to the centerline of Challenger Canal; Thence southerly along the centerline of Challenger Canal to an intersection with the centerline of Bolero Canal; Thence easterly along the centerline of Bolero Canal to an intersection with the centerline of Corsaire Canal; Thence southerly along the centerline of

Corsaire Canal to an intersection with the centerline of Caper Canal; Thence easterly along the easterly prolongation of the centerline of Caper Canal to an intersection with the centerline of SE Santa Barbara Boulevard; Thence northerly along the centerline of Santa Barbara Boulevard to the centerline of SE 20th Street; Thence easterly along the centerline of SE 20th Street to the centerline of SE Santa Barbara Place; Thence southerly along the prolongation centerline of Santa Barbara Place to the centerline of Damao Canal; Thence easterly along the centerline of Damao Canal to the intersection centerline of San Carlos Canal; Thence southerly along the centerline of San Carlos Canal to the centerline intersection of Mast Canal and South Retunda Canal; Thence easterly along the centerline of South Retunda Canal to an intersection with the northerly prolongation of the centerline SE 6th Avenue; Thence southerly along the centerline of SE 6th Avenue to the centerline of SE 28th Terrace; Thence easterly along the centerline of SE 28th Terrace to the centerline of Academy Boulevard; Thence northerly along the centerline of Academy Boulevard to the centerline of Archer Parkway; Thence easterly along the centerline of Archer Parkway to the centerline of Country Club; Thence southerly along the centerline of Country Club to the centerline of SE 28th Terrace; Thence easterly along the centerline of SE 28th Terrace to the centerline of SE 10th Avenue; Thence northerly along the prolongation centerline of SE 10th Avenue to the centerline of Magnolia Canal; Thence easterly along the centerline of Magnolia Canal to the centerline of Rubicon Canal; Thence southerly along the centerline of Rubicon Canal to the centerline intersection of SE 47th Terrace; Thence westerly along the centerline of SE 47th Terrace to the centerline of SE 1st Place; Thence southwesterly along the centerline SE 1st Place to the centerline of Cape Coral Parkway West; Thence westerly along the centerline of Cape Coral Parkway East and Cape Coral Parkway West to an intersection with the centerline of Skyline Boulevard and the **Point of Beginning**.

- (5) **West Central District (5): Beginning** at the centerline intersection of Pine Island Road and Chiquita Boulevard South; Thence northerly along the centerline of Chiquita Boulevard South to the centerline of Embers Parkway; Thence easterly along the centerline of Embers Parkway to the centerline of Nelson Road North; Thence northerly along the centerline of Nelson Road North to the centerline of Tropicana Parkway West; Thence easterly along the centerline of Tropicana Parkway West to the centerline of Santa Barbara Boulevard North; Thence southerly along the centerline of Santa Barbara Boulevard North to an intersection with the centerline of Northeast Pine Island Road; Thence northeasterly along the centerline of Northeast Pine Island Road to the centerline of Cultural Park Boulevard North; Thence southeasterly along the centerline of Cultural Park Boulevard North and Cultural Park Boulevard South to the centerline of SE 8th Street; Thence westerly along the centerline of SE 8th Street to the centerline of SE 6th Court; Thence southerly along the centerline of SE 6th Court to the centerline of SE 8th Terrace; Thence westerly along the centerline of SE 8th Terrace to the centerline of SE 5th Avenue; Thence southerly along the centerline of SE 5th

Avenue to the centerline of SE 9th Street; Thence westerly along the centerline of SE 9th Street to the centerline of SE 4th Place; Thence southerly along the centerline of SE 4th Place to the centerline of SE 10th Lane; Thence westerly along the centerline of SE 10th Lane to the centerline of SE 4th Avenue; Thence southerly along the centerline of SE 4th Avenue to the centerline of SE 10th Terrace; Thence westerly along the centerline of SE 10th Terrace to the centerline of Santa Barbara Boulevard; Thence southerly along the centerline of Santa Barbara Boulevard to an intersection with the Easterly extension of the centerline of Caper Canal; Thence easterly along the easterly extension of the centerline of Caper Canal to the centerline of Corsaire Canal; Thence northerly along the centerline of Corsaire Canal to an intersection with the centerline of Bolero Canal; Thence westerly along the centerline of Bolero Canal to an intersection with the centerline of Challenger Canal; Thence northerly along the centerline of Challenger Canal to the centerline of SW 22nd Street; Thence westerly along the centerline of SW 22nd Street to the centerline of SW 7th Place; Thence southerly along the centerline of SW 7th Place to the centerline of SW 22nd Terrace; Thence westerly along the centerline of SW 22nd Terrace to the centerline of Skyline Boulevard; Thence southerly along the centerline of Skyline Boulevard to the centerline of Veteran's Memorial Parkway; Thence westerly along the centerline of Veteran's Memorial Parkway to the centerline of SW 20th Avenue; Thence northerly along the centerline of SW 20th Avenue to the centerline of SW 22nd Terrace; Thence westerly along the centerline of SW 22nd Terrace to the centerline of Surfside Boulevard; Thence southerly along the centerline of Surfside Boulevard to the easterly extension of the centerline of Miracle Parkway; Thence westerly along the easterly extension of the centerline of Miracle Parkway to an intersection with the westerly city limits of the City of Cape Coral; Thence northerly and easterly along the westerly city limits of the City of Cape Coral to the centerline of Southwest Pine Island Road; Thence easterly along the centerline of Southwest Pine Island Road to the centerline of Chiquita Boulevard South and the **Point of Beginning**.

- (6) **Northwest District (6): Beginning** at the centerline intersection of Southwest Pine Island Road and Chiquita Boulevard South; Thence westerly along the centerline of Southwest Pine Island Road to the intersection with the easterly city limits of Cape Coral; Thence southerly, westerly and northerly to the intersection of Southwest Pine Island Road and the extension of Matlacha Isles Canal; Thence northerly, westerly, and easterly along said city limits to a point of intersection with Burnt Store Road; Thence continue along said city limits southerly and easterly along said Burnt Store Road and fractional lands to a point of intersection with an extension of Nelson Road North; Thence departing said city limits, continue southerly along said extension line and centerline of Nelson Road North to an intersection with the centerline of Frontier Canal; Thence easterly along the centerline of Frontier Canal to an intersection with the centerline of Santa Barbara Boulevard North; Thence southerly along said centerline to an intersection with the centerline of Tropicana Parkway West; Thence westerly along said

centerline to an intersection with the centerline of Nelson Road North; Thence southerly along said centerline to an intersection with the centerline of Embers Parkway; Thence westerly along said centerline to an intersection with the centerline of Chiquita Boulevard South; Thence southerly along said centerline to an intersection with the centerline of Southwest Pine Island Road also being the **Point of Beginning**.

- (7) **Northeast District (7): Beginning** at the centerline intersection of Southwest Pine Island Road and Santa Barbara Boulevard North; Thence northerly along the centerline of Santa Barbara Boulevard North to the centerline intersection with Frontier Canal; Thence westerly to an intersection with the centerline of Nelson Road North; Thence northerly along the centerline of Nelson Road North and the extension of said centerline with the north city limits of Cape Coral; Thence easterly, northerly, southerly, and westerly along said city limits to the intersection of Commerce Creek Boulevard and Northeast Pine Island Road; Thence southwesterly along the centerline of Northeast Pine Island Road to the centerline intersection of Santa Barbara Boulevard and the **Point of Beginning**.

(Ord. 2-2002, adopted January 28, 2002 amended the Council Districts; Ord. 19-22, § 2(Exh. B), adopted March 2, 2022 amended the Council Districts)

§ 10.06. - Municipal annexations or contractions.

The boundaries of the City may be adjusted through Annexation or Contraction of Corporate limits in accordance with Florida Law.