

**ORDINANCE NO. 2022-024**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 8, "ELECTIONS," ARTICLE III, "CANDIDATES," BY AMENDING SECTION 8-52, "TIME FOR QUALIFYING," TO PROVIDE FOR A QUALIFYING TIMELINE THAT IS CONSISTENT WITH CHAPTER 75-350, LAWS OF FLORIDA, A SPECIAL LAW APPLICABLE TO BROWARD COUNTY THAT RELATES TO THE CONDUCT OF MUNICIPAL ELECTIONS IN BROWARD COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 75-350, Laws of Florida, is an act of the Florida Legislature that specifically relates to Broward County, and as such, it is identified as a special law, which is not codified within the organizational framework of the Florida Statutes (hereinafter "Special Law"); and

**WHEREAS**, the Special Law seeks to provide for uniform filing and election dates for all municipal elections in Broward County; and

**WHEREAS**, the Special Law has been amended several times over the course of its history, to wit: Chapters 2004-443, 2005-318, and 2012-253, Laws of Florida; and

**WHEREAS**, to ensure consistency between the City's Code of Ordinances and the Special Law, this ordinance amends Section 8-52, "Time for qualifying," of the City's Code of Ordinances, to mirror the language used in the Special Law to describe the potential window of time for municipal clerks to hold candidate qualifying periods; and

**WHEREAS**, the City Commission finds and determines that it is in the best interests of the residents to provide updates to its election code consistent herewith.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:**

**Section 1: Ratification.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

**Section 2: Code Amendment.** That the Code of Ordinances of the City of Coconut Creek, Florida, are hereby amended by amending Chapter 8, "Elections," Article III, "Candidates," Section 8-52, "Time for qualifying," to read and provide as follows:

Sec. 8-52. – Time for qualifying.

No person may qualify as a candidate in accordance with section 8-51, "Oath; campaign finance reports; statement of financial interests; fee," as amended from time to time, prior to the dates set forth by the city clerk for such qualifying. The time for qualifying shall be held no earlier than noon on the first work day in January nor later than noon on the 7<sup>th</sup> day following the first work day in January of the calendar year in which the election is to be held. ~~fall within the first full week in January of each election year, beginning on Monday and ending on Thursday.~~

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**Section 3: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 4: Severability.** That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 5: Codification.** That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 6: Effective Date.** That this ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2022.**

**PASSED SECOND READING THIS 8<sup>TH</sup> DAY OF DECEMBER, 2022.**

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Joshua Rydell, Mayor

Attest:

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Joseph J. Kavanagh, City Clerk

	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>
Rydell	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>
Brodie	<u>Aye</u>	<u>Aye</u>