



## Legislation Text

File #: ORD 2018-035, Version: 1

## AGENDA ITEM REPORT

### TITLE:

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING THE ENTIRETY OF CHAPTER 8, "ELECTIONS," TO PROVIDE FOR UPDATED AND CONSISTENT REGULATIONS WITH STATE ELECTION LAWS AND CITY CHARTER PROVISIONS; AND BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE II, "CITY COMMISSION," BY REPEALING SECTION 2-22, "VACANCY IN CANDIDACY," IN ITS ENTIRETY IN ITS CURRENT LOCATION IN ORDER TO RELOCATE THE LANGUAGE INTO A MORE RELEVANT LOCATION WITHIN CHAPTER 8, "ELECTIONS," AND BY REPEALING SECTION 2-24, "CITY COMMISSION CANDIDATE QUALIFICATIONS," AS THOSE PROVISIONS ARE SET FORTH IN THE CITY CHARTER AS OF THE EFFECTIVE DATE OF THE CHARTER REVISIONS OF 2016. (SECOND READING)(PUBLIC HEARING)

### BACKGROUND:

**This item was approved on First Reading at the October 25, 2018, City Commission Meeting.**

The City's election code was enacted in the 1980s and is in need of revision to comport with changes contained in Title IX, "Electors and Elections," of the Florida Statutes. The goal of these revisions is to bring clarity to the City's municipal election process and procedure, and wherever the state law is silent as to the conduct of municipal elections, the City must set forth the governing regulations. Additionally, some important changes were made to resolve inconsistencies among the state laws, the City's Charter, and Chapter 8, "Elections," of the Code of Ordinances relating to candidate qualifying fees and required public notices.

### DISCUSSION:

In addition to updating Chapter 8, this Ordinance transfers the former Section 2-22, "Vacancy in Candidacy," regarding special provisions for vacancies in candidacy, that was originally found within Chapter 2, "Administration," under Article II, "City Commission," to its more fitting location within Chapter 8, "Elections," under Section 8-104, "Vacancies." In addition, the self-repealing provisions contained in Section 2-24, "City Commission Candidate Qualifications," are formally repealed in their entirety as the minimum qualifications for candidacy are currently contained within the City Charter Section 301d., "Minimum Length of Residence," based on the electors' adoption of the Charter revisions in 2016.

### RECOMMENDATION:

Staff recommends approval of this Ordinance.

**FISCAL IMPACT:** N/A