

**CITY OF ST. PETE BEACH, FLORIDA**

**ORDINANCE NO. 2009-29**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF CHAPTER 38 OF THE CITY OF ST. PETE BEACH MUNICIPAL CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF SECTION 28-12 CANVASSING BOARD; PROVIDING FOR THE ADDITION OF THE OPTION FOR THE CITY COMMISSION TO AUTHORIZE THE PINELLAS COUNTY CANVASSING BOARD TO CANVASS THE RESULTS OF CITY ELECTIONS AS REQUIRED BY CONTRACT WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission wishes to be able to authorize the County Canvassing Board to canvass the election returns for municipal elections as necessary; and

**WHEREAS**, the City Commission has found this ordinance to be in the best interest of the health, safety and welfare of the citizens of the city; and

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law;

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA HEREBY ORDAINS:**

**Section 1.** Chapter 38, Section 38-12 is amended as follows.

**Chapter 38, Elections**

**Sec. 38-12. Canvassing board.**

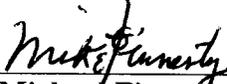
The canvassing board for the city elections shall be comprised of the city clerk, the city attorney and the mayor-commissioner, unless the mayor-commissioner is an opposed candidate for election. In any year in which the mayor-commissioner is an opposed candidate for election, a city commissioner who is not an opposed candidate for election shall be appointed by a majority of the city commission to serve on the canvassing board for said election. The city commission may also delegate the canvassing board responsibilities to the Pinellas County Canvassing Board. Canvassing board meetings shall be scheduled in accordance with Florida law. The presence of two members of the canvassing board shall be required to establish a quorum. The

affirmative vote of at least two members shall be required for the approval of any matter before the board, and said votes may be made by the signature of the board member where applicable.

**Section 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

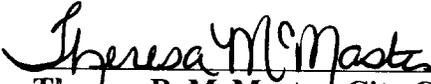
**Section 3.** If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

**Section 4.** This Ordinance shall become effective immediately upon adoption.

  
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Michael Finnerty, MAYOR

<b>FIRST READING</b>	: <u>October 14, 2009</u>
<b>PUBLISHED</b>	: <u>October 17, 2009</u>
<b>SECOND READING</b>	: <u>October 27, 2009</u>
<b>PUBLIC HEARING</b>	: <u>October 27, 2009</u>

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 27<sup>th</sup> day of October, 2009.

  
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Theresa B. McMaster, City Clerk