

Ordinance 2019-04

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE OF ORDINANCES, SECTION 38-6(a), CANDIDATES, QUALIFICATIONS, PETITIONS; SECTION 38-7, ELECTION DATE OF COMMISSIONERS; SECTION 38-8, ELECTION DATE OF MAYOR-COMMISSIONER; AND SECTION 38-14, ELECTION RESULTS; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach desires to standardize the qualification period for election candidates seeking a seat for commissioner or mayor-commissioner; and,

WHEREAS, the City Commission desires to conform with future election dates established for a presidential preference primary election; and,

WHEREAS, the City Commission recognizes the limited resources available to conduct a runoff election with the Pinellas County Supervisor of Elections Office.

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

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. That the Code of Ordinances, City of St. Pete Beach, Florida is hereby amended by revising Chapter 38, of the Code of Ordinances and shall be amended to read as follows:

Chapter 38 – ELECTIONS

Sec. 38-6. – Candidates; qualifications; petition.

(a) Every person who shall be a candidate for the office of city commissioner or of mayor-commissioner shall, before submitting the application for office, first obtain a candidate's guidebook from the city clerk. This candidate guidebook shall contain the guidelines that must be followed by persons seeking to be candidates for city commissioner or mayor-commissioner. The guidebook shall include those publications required by state law and shall also contain an application, petition cards and such other pertinent information as may be appropriate to assist the candidate in seeking elective office within the city. The prospective candidate shall pay a non-refundable fee to help cover the administrative costs for the compilation of the candidate guidebook.

The fee shall be established by resolution of the city commission and is listed in Appendix A to this code. The prospective candidate shall file with the city clerk the application to have her/his name printed upon the ballot as a candidate for the office to which s/he aspires, in which application s/he shall declare the district of her/his residence and whether s/he shall be a candidate for commissioner or mayor-commissioner, and such application shall be filed no less than 45 (forty-five) days before the date of the election. The city commission shall set the dates for the qualification period as the first two (2) full weeks of November of the year preceding the municipal election.

Sec. 38-7. – Election date of commissioners.

The regular election for the city commission shall be held on the second Tuesday of March unless the city commission determines, by ordinance, pursuant to F.S. 100.3605(2), that it is appropriate to schedule that election for some other date in March, or when the city is required to conform with the federally established Presidential Preference Primary election date.

Sec. 38-8. – Election date of mayor-commissioner.

The regular election for mayor-commissioner shall be held on the second Tuesday of March unless the city commission determines by ordinance that it is appropriate to schedule that election for some other date in March, or when the city is required to conform with the federally established Presidential Preference Primary election date.

Sec. 38-14. – Election results.

(a) *Multiple candidates.* When two or more persons qualify as candidates for the office of city commissioner or mayor-commissioner for any of the designated seats of the city commission to be filled, the persons so qualified shall be voted upon, and the person receiving the highest number of votes cast at such regular city election, shall be declared elected.

If, in any election the returns, as certified by the Pinellas County Canvassing Board, result in a tie vote, the election shall be decided by lot, which shall mean that the name of each candidate who has tied shall be placed on a piece of paper, which shall be placed in a container so that the candidates' names are not visible. A member of the canvassing board shall then select one (1) piece of paper from the container. The candidate whose name appears on that piece of paper shall be declared elected.

SECTION 3. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 6. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 7. Effective Date. This ordinance shall take effect immediately upon adoption.

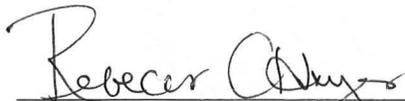
FIRST READING: 10/08/2019
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CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA



Alan Johnson, Mayor

I, Rebecca C. Haynes, 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 22nd day of October, 2019.



Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:



Andrew Dickman, City Attorney