

ORDINANCE NO. 4177

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES ENTITLED “ELECTIONS”, SECTION 5-2(a) ENTITLED “FILING AND QUALIFICATION OF CANDIDATES FOR MAYORAL AND COUNCIL”, PROVIDING FOR APPLICABILITY; SEVERABILITY, CODIFICATION, REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Supervisor of Elections Office (PBCSOE) has submitted communication requesting municipalities change qualifying dates for their election to end on or before the 95th day prior to the scheduled Municipal Election; and

WHEREAS, this request assists the PBCSOE with meeting requirements set forth in Florida Election Laws; and

WHEREAS, it is desirous and advantageous of the City to accommodate this request as part of the Unified Municipal Election process; and

WHEREAS, in an effort to assist the PBCSOE with remaining in compliance with Florida Statutes Section 101.62(4)(a), the qualifying period will be changed for all future municipal elections; and

WHEREAS, the City Council has determined that the enactment of this Ordinance is for a proper municipal purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2. Chapter 5, of the Code of Ordinances, entitled “Elections”; Section 5-2(a), entitled “Filing and qualification of candidates for mayoral and council”, is hereby amended as follows (additions are underlined and deletions appear in ~~strike through~~ format):

* * *

Sec. 5-2. - Filing and qualification of candidates for mayoral and council.

~~(a) Candidates for mayoral and city council shall file such papers and pay such fees as may be required by law, including the filing fee required by City Charter article II, section 3, during the qualifying period with the city clerk no earlier than noon on the fourth Tuesday in November and no later than noon on the second Tuesday in December of the calendar year prior to the year the mayoral or city council election is to be held. The names of all candidates and the offices for which they have filed shall be received by the Palm Beach County Supervisor of Elections from the city clerk by 5:00 p.m. on the first Friday after the close of the above described qualifying period.~~

(a) Candidates for mayoral and city council shall file such papers and pay such fees as may be required by law, including the filing fee required by City Charter article II, section 3, during the qualifying period with the city clerk no earlier than noon on the first Tuesday in November and no later than noon on the third Tuesday in November of the calendar year prior to the year the mayoral or city council election is to be held. The names of all candidates and the offices for which they have filed shall be received by the Palm Beach County Supervisor of Elections from the city clerk by 5:00 p.m. on the first Friday after the close of the above described qualifying period.

SECTION 3. APPLICABILITY. For purposes of jurisdictional applicability, this Ordinance shall apply to the City of Riviera Beach.

SECTION 4. SEVERABILITY. That 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. CODIFICATION. That it is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and are made a part of the Code of Ordinances for the City of Riviera Beach; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word, when necessary.

SECTION 6. REPEAL OF LAWS IN CONFLICT. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. EFFECTIVE DATE. That this Ordinance shall be effective immediately upon final adoption and passage on second reading.

PASSED AND APPROVED on the first reading this ____ day of _____, 2021.

PASSED AND ADOPTED on second and final reading this ____ day of _____, 2021.

APPROVED:

RONNIE L. FELDER
MAYOR

SHIRLEY D. LANIER
CHAIRPERSON

ATTEST:

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

JULIA A. BOTEL, Ed.D
COUNCILPERSON

DAWN S. WYNN, CITY ATTORNEY

DATE: _____

DOUGLAS A. LAWSON
COUNCILPERSON

1ST READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____