

ORDINANCE 2020-04

AN ORDINANCE OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA RELATING TO QUALIFYING TO RUN FOR TOWN COUNCIL, AMENDING CHAPTER 32 OF THE TOWN CODE OF ORDINANCES, RELATING TO THE CANDIDATE QUALIFICATION PERIOD FOR THE OFFICE OF TOWN COUNCIL; CHANGING THE QUALIFICATION PERIOD FOR CANDIDATES; PROVIDING FOR THE TIME OF QUALIFICATION FOR MUNICIPAL ELECTION; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 10.04 of the Town Charter, provides that regulations for the conduct and supervision of local elections be established by ordinance; and

WHEREAS, Section 10.05 provides that the Town Clerk shall have qualifying forms available for completion by any candidate for Town Council who may request such a form. Such qualifying statements shall be filed in accordance with time periods set forth in the Statutes of the State of Florida, any applicable regulations, and established from time to time in the Town Code of Ordinances; and

WHEREAS, the Brevard County Supervisor of Elections has advised that due to the newly passed legislation for Spanish language ballots and to accommodate the Supervisor of Elections to send ballot language (referenda) out to be translated no less than 78 days in advance of the election, this 78-day lead time to translate ballot language means that Palm Shores will have to adjust its qualifying period; and

WHEREAS, the new regulation of 78-days prior to the general election creates a conflict with the current qualifying period for elections beginning in the year 2020; and

WHEREAS, the Town Council intends to revise the qualifying period to be consistent with the schedule implemented by the Supervisor of Elections; and

WHEREAS, Section 100.3605(2), Florida Statutes (2018), provides:

100.3605 Conduct of municipal elections

(2) The governing body of a municipality may by ordinance change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes; and

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM SHORES, BREVARD COUNTY, FLORIDA, that:

SECTION 1. Chapter 32 of the Town Code of Ordinances of the Town of Palm Shores, Florida, is hereby amended to read as follows:

Section 26-3. Candidate qualifications period

The Town Clerk shall have qualifying forms available for completion by any candidate for Town Council who may request such a form. Such qualifying statements shall not be filed sooner than 12:00 p.m. on the 96th day or later than 12:00 p.m. on the 82nd day prior to the Town's General Election.

SECTION 2. That all ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall become effective upon adoption.

SECTION 4. It is the intention of the Town Council of Palm Shores that the provisions of this ordinance shall become and be made a part of the Town Code, and that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. This ordinance was passed on the first reading at a regular meeting of the town Council on the 25th day of February 2020 and adopted on second/final reading at a regular meeting of the Town Council on the 24th day of March 2020.



ATTEST:

Patricia J. Burke, MPA, MMC
Town Clerk

Carol M. McCormack
Mayor