

ORDINANCE NO. 93

AN ORDINANCE OF THE VILLAGE OF GOLF, FLORIDA, REPEALING ORDINANCE NO. 8 AND ORDINANCE NO. 70, BOTH OF WHICH ADOPTED REGULATIONS AND REQUIREMENTS FOR THE CONDUCT OF ELECTIONS IN THE VILLAGE; AND PROVIDING FOR THE ADOPTION OF A COMPREHENSIVE AND CONSOLIDATED SET OF REGULATIONS AND REQUIREMENTS REGARDING THE CONDUCT OF ELECTIONS HELD IN THE VILLAGE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Golf has recently adopted Ordinance No. 92 concerning revisions to its Charter at Article III. related to the date and conduct of elections held in the Village; and

WHEREAS, Sec. 19 . of Article III. of the Village Charter authorizes the Village Council to regulate the conduct of elections by ordinance; and

WHEREAS, the Village Council adopted Ordinance No. 8 on February 17, 1961, which contains outdated or conflicting provisions with the Village Charter and/or state law; and the Village Council desires to now repeal Ordinance No. 8. in order to adopt a new elections code in conformance with general law and the recently adopted Village Charter elections provisions; and

WHEREAS, the Florida Legislature adopted revisions to Section 101.657, *Florida Statutes*, which regulated early voting and the Village adopted Ordinance No.70. on January 26, 2005, to exempt itself from the provisions for such early voting in the Village; and

WHEREAS, the Village Council of the Village of Golf, Florida, believes it to be in the best interests of the health, safety, and welfare of the citizens of the Village that the Village repeal the former elections ordinances, adopt new comprehensive regulations and consolidate certain others previously adopted, all to be known as the "Village Elections Code" regarding the conduct of its elections in conformance with its recently adopted Charter amendments and which will also reflect its exemption from the early voting provisions of Section 101.657, *Florida Statutes*.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA THAT:

SECTION 1: Ordinance No. 8 and Ordinance No. 70 are both hereby repealed in their entirety and the Village Council hereby adopts new regulations and consolidates certain of those

previously adopted regarding the conduct of its elections which are attached hereto as Exhibit A and which shall be known as the "Village Elections Code" of the Village of Golf.

Section 2: All ordinances or parts of ordinances which are in conflict be and the same are hereby repealed.

Section 3: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 4: Specific authority is hereby granted to codify this Ordinance.

Section 5: This Ordinance shall take effect immediately upon passage.

FIRST READING this 17th day of March, 2010.

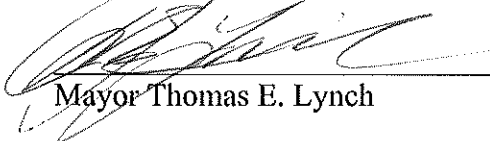
SECOND AND FINAL READING this 21st day of April, 2010.

✓

Aye

Nay

VILLAGE OF GOLF


Mayor Thomas E. Lynch

Aye

Nay

Vice Mayor Erik E. Joh

✓

Aye

Nay


Councilmember Michael E. Botos

Aye

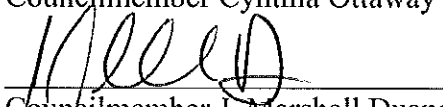
Nay

Councilmember Cynthia Ottaway

✓

Aye

Nay

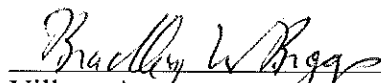

Councilmember J. Marshall Duane, III.

ATTEST:


Carol Marciano, Village Clerk

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.


Village Attorney

Y:\docs\Golf\Ordinances\2010\Ord 93-Rescind Ord 8-Voting Procedure Adopt-2010

EXHIBIT "A" TO ORDINANCE NO. 93

VILLAGE ELECTIONS CODE

SECTION 1. PROCLAMATION OF ELECTION BY MAYOR; TIME AND PLACE DESIGNATION.

Within the thirty (30) days prior to the date of any election, the Mayor shall issue a proclamation calling such election. The proclamation shall specify the questions to be placed on the ballot, if any; offices which are up for election; the term of each office up for election; and the date and place the election shall be held. All general elections held in the Village shall be held on the second Tuesday in March of each fourth year and Special Elections shall be held upon the proclamation of the Mayor which shall state the time, place and purpose of the Special Election. The proclamation shall be posted at the Village Hall and at the Clubhouse of the Country Club of Florida at least eight (8) days prior to such election.

SECTION 2. DATE OF MUNICIPAL ELECTIONS; QUALIFYING PERIODS.

A. *GENERAL ELECTION DATE EVERY FOUR YEARS.* Village Councilmembers shall be elected for four (4) year terms by groups which shall be known as Groups 1, 2, 3, 4 and 5. General Municipal Elections shall be held on the second Tuesday in March of each fourth year; and runoff elections, if necessary, shall be held on the fourth Tuesday in March of the applicable calendar year. If a special election is held as allowed by applicable law, such election must be coordinated with the Supervisor of Elections in accordance with Sec. 100.151, F.S. as may be amended from time to time, with a proclamation to be issued by the Mayor setting the date, time, place and purpose of the Special Election as noted above.

B. *QUALIFYING.* Qualifying for general elections shall begin no earlier than noon on the last Tuesday in January nor later than noon on the second Tuesday in February in the calendar year in which the election is to be held, and all documentation required by state law as well as by Village ordinance shall be submitted to the Village Clerk within those time frames.

SECTION 3. QUALIFICATIONS OF CANDIDATES FOR ELECTIVE OFFICE.

No person shall be qualified as a candidate for any elective office in the Village of Golf unless that person is twenty-one (21) years of age, a duly registered elector of the Village and has established residency in the Village for at least six (6) months prior to the time of qualifying. Any person desiring to qualify as a candidate for any elective office must present to the Village Clerk all documentation and/or fees required by state law, as it may be amended from time to time, along with a filing fee as set by resolution of the Village Council, the candidate's place of residence, the candidate's age, and the number of the group for which the candidate seeks to be elected.

SECTION 4. SUPERVISED BY BOARD OF ELECTORS.

All general and special elections held in the Village shall be under the supervision of a Board of Election composed of the Village Clerk and as many inspectors as deemed necessary by the Village Manager. The inspectors shall be designated or appointed by the Village Manager, be registered electors and serve on an as needed basis for all general and special elections. The inspectors shall be paid for their services in such amounts as are generally accepted for such services as determined by the Village Manager.

SECTION 5. ADOPTION OF ELECTION CODE BY REFERENCE.

A. *FLORIDA ELECTION CODE REFERENCED.* All general laws of the state expressly relating to municipal elections and to the registration of persons qualified to vote therein, which are not inconsistent or in conflict with the provisions of this Ordinance or the Village Charter are hereby adopted as part of this chapter.

B. *EARLY VOTING EXEMPTION.* The Village shall be exempt from the provisions of Section 101.657, *Florida Statutes*, regarding early voting for municipal elections, as that section may be amended from time to time.

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

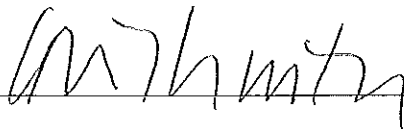
PROOF OF PUBLICATION


STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **Ordinances 92 & 93** was published in said newspaper in the issues of **April 10, 2010**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.



Sworn to and subscribed before 12th day of April, A.D. 2010.
Who is personally known to me.



NOTARY PUBLIC-STATE OF FLORIDA
 Karen M. McLinton
Commission #DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

NO. 5182192 LEGAL NOTICE

The Village Council of the Village of Golf, Florida will hold a Public Hearing to consider the following proposed Ordinances on second and final reading Wednesday, April 21, 2010 at 9:00 a.m., at the Village Administration Building, 21 Country Road, Village of Golf, Florida:

ORDINANCE NO. 92

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA, AMENDING THE VILLAGE CHARTER AT ARTICLE III, GOVERNMENT, AT SECTION 2, 4, 5, 6, 7, 9, 10, AND 15, BY REPEALING AND RE-ADOPTING SAME IN ORDER TO AMEND AND MEMORIALIZE THE PROVISIONS REGARDING THE UNIFORM ELECTION DATES FOR MUNICIPAL ELECTIONS PREVIOUSLY APPROVED THROUGH THE ADOPTION OF ORDINANCE NO. 41 AND TO AMEND THE VILLAGE CHARTER TO CONFORM TO GENERAL LAW; PROVIDING FOR THE ORDERLY TRANSITION OF OFFICE RESULTING FROM SUCH DATE CHANGES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF ARTICLE III, OF THE VILLAGE CHARTER SHALL REMAIN THE SAME AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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All interested parties are invited to appear at the meeting, as it may be continued from time to time, and be heard with respect to the proposed ordinances.

Copies of the proposed ordinances are on file at the Village Clerk's Office located at 21 Country Road, Village of Golf, FL 33436, for inspection by the public from 8:00 a.m. - 4:00 p.m. Monday through Friday.

"If a person decides to appeal any decision made by the Village Council with respect to any matter considered at subject meeting, he will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105)

VILLAGE OF GOLF
PUB: The Palm Beach Post
April 10, 2010