

**ORDINANCE NO. 2025-22**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 22, ELECTIONS, BY AMENDING SECTION 22-1, PROCEDURE FOR QUALIFYING FOR OFFICE, RENAMING SECTION 22-2, PREPARATION OF BALLOTS, REPEALING SECTION 22-3, DESIGNATION OF POLLING PLACES AND PUBLICATION OF NOTICE, SECTION 22-4, VOTING MACHINES OR DEVICES, AND SECTION 22-5, CANVASSING BOARD, AMENDING AND RENUMBERING SECTION 22-6, CERTIFICATION OF ELECTION RESULTS, REPEALING SECTION 22-7, RESERVED, RENUMBERING SECTION 22-8, DISCHARGE OF DUTIES, AND AMENDING BY RENUMBERING AND ADDING SECTION 22-5, SPECIAL ELECTIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, during the November 2024 general election, the electors of the City of Venice approved a referendum amending the City Charter to revise the terms of elected officials; and

**WHEREAS**, the City Attorney's Office and the City Clerk's Office has determined that the City's elections code should be revised for consistency with the City Charter, as amended, and with state law; and

**WHEREAS**, the Venice City Council finds and determines that the provisions of this Ordinance are in the best interest and furtherance of the health, safety, and welfare of the City, its citizens and taxpayers.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA**, as follows:

**SECTION 1.** The above whereas clauses are ratified and confirmed as true and correct.

**SECTION 2.** Chapter 22, Elections, Section 22-1, Procedure for qualifying for office, of the City's Code of Ordinances, is hereby amended to read as follows:

**Sec. 22-1. Procedure for qualifying for office.**

Every candidate for the office of mayor and/or councilmember shall qualify for such office by complying with the election code of the state, except that the qualification papers and filing fee shall be filed with the city clerk. ~~The qualification papers shall be filed with the city clerk no earlier than noon of the 78<sup>th</sup> day and no later than noon of the 74<sup>th</sup> day prior to the Tuesday next succeeding the first Monday in November in each of each even-numbered year for each municipal election.~~ The qualification papers shall indicate the office for which the candidate is seeking qualification.

**SECTION 3.** Chapter 22, Elections, Section 22-2, Preparation of ballots, of the City's Code of Ordinances, is hereby amended to read as follows:

**Sec. 22-2. Candidate Names and Office for Ballot Preparation of ballots.**

After the time for qualification has expired, the city clerk shall forward to the county supervisor of elections the names of the candidates for the office of mayor and/or councilmember who have duly

qualified in conformity with the provisions of this chapter and state law. The name of each candidate shall carry a designation of the office being sought.

**SECTION 4.** Chapter 22, Elections, Section 22-3 through Section 22-5, of the City's Code of Ordinances, are hereby repealed in their entirety.

**~~Sec. 22-3. Designation of polling places and publication of notice.~~**

~~At least 25 days prior to any municipal election, the city council shall, by ordinance or resolution, designate the polling places for such election; thereupon, the city clerk shall cause a notice to be published one time in a newspaper of general circulation in the city, setting forth the date of the election, the purpose thereof and the locations of the polling places.~~

**~~Sec. 22-4. Voting machines or devices.~~**

~~Electors other than absentee voters shall vote for the candidate of their choice, or on any question, such as bond authorization or other referenda submitted by ordinance or resolution of the city council, by use of voting machines or devices, in conformity with procedures substantially as set forth in the Florida Statutes used in state elections generally. The city clerk shall arrange with the appropriate county authorities for the use of such machines or devices at all elections.~~

**~~Sec. 22-5. Canvassing board.~~**

~~In the years the city election is not held in conjunction with a county election, the canvassing board shall consist of the county supervisor of elections and the city clerk, and the mayor when not on the ballot, or alternatively, the mayor shall select a representative from the city council who is not on the ballot for that election.~~

**SECTION 5.** Chapter 22, Elections, Section 22-6, Certification of election results, of the City's Code of Ordinances, is hereby amended to read as follows:

**Sec. 22-36. Certification Presentation of election results.**

The city clerk shall transmit present the unofficial certified returns of the municipal election to city council at a special meeting set by the city clerk within the last 15 days of the month of November on the Tuesday immediately following the certification of election. At such special meeting, city council shall certify receive the election results and the winning certified candidate(s) shall be sworn in, unless previously performed. The city clerk shall furnish a certificate of election to each person shown to have been elected.

**SECTION 6.** Chapter 22, Elections, Section 22-7, Reserved, is hereby repealed in its entirety.

**~~Sec. 22-7. Reserved.~~**

~~Editor's note(s) — Ord. No. 2023-32, § 2, adopted Sept. 12, 2023, deleted § 22-7 entitled "Political signs," which derived from Ord. No. 2005-30, § 2, adopted July 12, 2005.~~

**SECTION 7.** Chapter 22, Elections, Section 22-8, Discharge of duties, of the City's Code of Ordinances, is hereby renumbered as follows:

**Sec. 22-48. Discharge of duties.**

City council members shall continue to hold their office and discharge their duties until their successor is duly certified as elected in accordance with article II, section 3.01 of the city Charter.

**SECTION 8.** Chapter 22, Elections, of the City's Code of Ordinances, is hereby amended by adding a section to be numbered 22-5, which section reads as follows:

**Sec. 22-5. Special Elections**

(a) Special elections which fall outside of elections coinciding with already scheduled county elections shall be held pursuant to a written agreement with the Sarasota County Supervisor of Elections. This agreement will include procedural and expense matters including, but not limited to, ballots, vote-by-mail, in-person voting, designation of election day and early voting polling places, publication of notices, voting machines, poll workers, and canvassing. The city clerk shall cause a notice to be published one time in a newspaper of general circulation in the city, setting forth the date of the election, the purpose thereof and the locations of polling places.

(b) For special election purposes only, the city canvassing board shall be composed of the city clerk or designee, the mayor or other member of city council designated by the mayor, and the city manager or designee.

**SECTION 9.** All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 10.** If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**SECTION 11.** This ordinance shall become effective immediately upon its approval and adoption, as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 10TH DAY OF JUNE 2025.**

First Reading: May 27, 2025

Second Reading: June 10, 2025

Adoption: June 10, 2025

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Nick Pachota, Mayor

ATTEST:

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Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 10th day of June 2025, a quorum being present.

**WITNESS** my hand and the official seal of said City this 10th day of June 2025.

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Kelly Michaels, MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney