

ORDINANCE NO. 2014-21

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; SECTION 22-6, CERTIFICATION OF ELECTION RESULTS; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature adopted legislation that decreased the time period between a primary election and a general election and extended the time period for overseas absentee ballots to be received; and

WHEREAS, both of these actions have impacted the Sarasota County Supervisor of Elections office when preparing for an election; and

WHEREAS, the Sarasota County Supervisor of Elections requested the City of Venice change its qualifying and certification of election dates to comply with the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); and

WHEREAS, the City of Venice agrees to change the dates to ensure compliance with UOCAVA and to accommodate the Sarasota County Supervisor of Elections in conducting the elections.

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

SECTION 1. The Whereas clauses above are ratified and confirmed as true and accurate.

SECTION 2. Chapter 22, Elections, Sec. 22-1, Procedure for qualifying for office, is amended 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 shall be filed with the city clerk. The qualification papers shall be filed with the city clerk no earlier than noon of the ~~64th~~ 78th day and no later than noon of the ~~60th~~ 74th day prior to the Tuesday next succeeding the first Monday in November in each year for each municipal election. The qualification papers shall indicate the office for which the candidate is seeking qualification.

SECTION 3. Chapter 22, Elections, Sec. 22-6, Certification of election results, is amended as follows:

Sec. 22-6. Certification of election results.

The city clerk shall transmit the unofficial returns of the municipal election to city council at a special meeting to be held at 11:00 a.m. on the ~~second~~ third Wednesday following the election, unless this day falls on an observed holiday when it shall be held on the following day. At such special meeting, city council shall certify the election results and the winning candidate(s) shall be sworn in. The city clerk shall furnish a certificate of election to each person shown to have been elected.

SECTION 3. Severability. If for any reason a provision of this Ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 29TH DAY OF JULY 2014.

First Reading: July 22, 2014

Final Reading: July 29, 2014

Adoption: July 29, 2014

John W. Holic, Mayor

Attest:

Lori Stelzer, MMC, City Clerk

Approved as to form:

City Attorney