



TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Town Attorney

Susan Trevarthen

Department Submitting Request

Dept Head's Signature

<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>
<input type="checkbox"/> Nov 10, 2009	Oct. 30 (5:00 p.m.)	<input type="checkbox"/> Jan 26, 2010	Jan 15 (5:00 p.m.)	<input type="checkbox"/> March 23, 2010	Mar 12 (5:00 p.m.)
<input type="checkbox"/> Dec 1, 2009	Nov 20 (5:00 p.m.)	<input type="checkbox"/> Feb 9, 2010	Jan 29 (5:00 p.m.)	<input type="checkbox"/> April 13, 2010	April 2 (5:00p.m.)
<input type="checkbox"/> Dec 8, 2009	Nov 25 (5:00 p.m.)	<input type="checkbox"/> Feb 23, 2010	Feb 12 (5:00 p.m.)	<input checked="" type="checkbox"/> April 27, 2010	April 16 (5:00p.m.)
<input type="checkbox"/> Jan 12, 2010	Dec 31 (5:00 p.m.)	<input type="checkbox"/> Mar 4, 2010	Feb 19 (5:00p.m.)	<input type="checkbox"/> May 11, 2010	April 30 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|---|--|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Resolution | <input type="checkbox"/> New Business |
| <input type="checkbox"/> Report | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Bids | <input checked="" type="checkbox"/> Old Business | <input type="checkbox"/> Other |

EXPLANATION: Discussion regarding Ordinance 2010-04 amending Chapter 2 "Administration", Article II "Town Commission" and Chapter 7 "Elections" of the Town Code of Ordinances, in order to address conflicts with the Town Charter and within the code regarding election procedures.

STAFF RECOMMENDATION:

BOARD/COMMITTEE RECOMMENDATION:

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

- | | |
|---|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

Deferred to the April 27, 2010 Commission meeting.

MAR 12 2010
3:19 pm

Town Attorney review required
 Yes No

Town Manager's Initials: [Signature]

ORDINANCE 2010-04

37 **SECTION 3. Amendment.** Chapter 7 “Elections” is hereby amended as follows:

38 **Sec. 7-1. Qualification fees.**

39
40 Candidates for any municipal office in the Town shall file such papers as set out in the Charter
41 and pay a filing fee of \$25.00 with the Town Auditor-Clerk not earlier than noon on the first
42 workday in January, nor later than noon on the 14th day following the first workday in January.

43
44 **Sec. 7-2. No primary elections.**

45
46 There shall be no primary election in races for municipal office in the Town.

47
48 **Sec. 7-3. Election dates; forfeiture, vacancies, qualifications for and terms of elected**
49 **municipal office.**

50
51 ~~(a) The date of elections, forfeiture of office, method of filling vacancies, qualifications for~~
52 ~~candidates, and elections in the Town shall be held on the second Tuesday in March.~~

53 ~~(b) The terms of all elected municipal officers shall be as provided in the Town Charter~~
54 ~~correspond to the dates provided in this chapter and Laws of Florida, Chapter 75-350, as~~
55 ~~amended.~~

56
57 **Sec. 7-4. Manner of election and taking office.**

58
59 ~~(a) The candidate or candidates, depending upon the number to be elected, receiving the highest~~
60 ~~number of votes in the election, shall be the winner or winners.~~

61 ~~(b) Such duly elected municipal officers shall take office within 14 days after the election, the~~
62 ~~specific day to be decided by ordinance.~~

63
64 **Sec. 7-5. Canvassing of votes.**

65
66 All municipal elections shall be canvassed by the county canvassing board with the board
67 certifying the results to the Town Auditor-Clerk within five days after the election.

68
69 **SECTION 4. Codification.**

70 This Ordinance shall be codified in accordance with the foregoing. It is the intention of the
71 Town Commission that the provisions of this Ordinance shall become and be made a part of the
72 Town of Lauderdale-by-the-Sea Code of Ordinances; and that the sections of this Ordinance may be
73 renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such
74 other appropriate word or phrase in order to accomplish such intentions.

75 **SECTION 5. Severability.**

ORDINANCE 2010-04

76 If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or
77 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the
78 validity of the remaining portions of this Ordinance.

79 **SECTION 6. Conflicting Ordinances.**

80 All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed
81 to the extent of such conflict.

82 **SECTION 7. Effective Date.**

83 This Ordinance shall become effective immediately upon passage on second reading.

84 Passed on the first reading, this ____ day of _____, 2010.

85 Passed on the second reading, this ____ day of _____, 2010.

91 _____
92 Mayor Roseann Minnet

	First Reading	Second Reading
96 Mayor Minnet	_____	_____
97 Vice Mayor Dodd	_____	_____
98 Commissioner Clotey	_____	_____
99 Commissioner Vincent	_____	_____
100 Commissioner Sasser	_____	_____

101 Attest:
102 _____
103 Town Clerk, June White

104 (CORPORATE SEAL)

105 Approved as to form:
106 _____
107 Susan L. Trevarthen, Town Attorney