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ORDINANCE NO. 2021-006

AN ORDINANCE OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING ARTICLE IV, ENTITLED "ELECTIONS," AND IN PARTICULAR AMENDING SECTION 2 ENTITLED "DATE OF ELECTION; CANDIDATES QUALIFYING FEE AND ACCEPTANCE OF CANDIDACY" OF THE CITY'S CHARTER; PROVIDING FOR THE DATES OF PAYMENT OF THE QUALIFYING FEE AND THE DATE OF QUALIFYING FOR OFFICE; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

17 **WHEREAS**, the City of Wilton Manors, Florida ("City") is a municipal
18 corporation, duly organized and operating under the Constitution and the Laws of the
19 State of Florida; and

20 **WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a
21 methodology of Charter amendments supplementary to and not in conflict with the
22 Charter of the City, Florida; and

23 **WHEREAS**, chapter 2012-253, Laws of Florida, provides that for
24 municipalities holding elections in November, candidates for office in such elections
25 must file the required paperwork and pay the qualifying fee pursuant to the same
26 timeframes as candidates who qualify for county offices as provided in section
27 99.061(2), Florida Statutes; and

28 **WHEREAS**, the City's Charter Review Board has recommended modifications
29 to Article IV, "Elections," and in particular has recommended the amendment of

1 Section 2, "Date of Election; Candidates Qualifying Fee and Acceptance of Candidacy"
2 to provide for the date of payment of the qualifying fee and the date of qualifying for
3 office to be consistent with State law; and

4 **WHEREAS**, the City Commission of the City of Wilton Manors, Florida deems
5 it to be in the best interests of the citizens and residents of the City to amend the City
6 Charter as set forth herein.

7 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
8 **OF THE CITY OF WILTON MANORS, FLORIDA:**

9
10 **Section 1:** The foregoing "WHEREAS" clauses are hereby ratified as being
11 true and correct and are hereby made a specific part of this Ordinance upon adoption
12 hereof.

13 **Section 2:** Article IV of the Charter of the City of Wilton Manors, entitled
14 "Elections," shall be amended by the specific amendment of Section 2 entitled "Date of
15 Election; Candidates Qualifying Fee and Acceptance of Candidacy," as follows:

16 **Sec. 2. – Date of election; candidates qualifying fee and acceptance of**
17 **candidacy.**

18 (a) All general elections relating to a municipal office in the City of
19 Wilton Manors shall be held on the first Tuesday after the first
20 Monday in November of every even numbered calendar year, in
21 accordance with State of Florida Law.

22
23 (b) The name of any elector who must be a resident of the city shall
24 be printed upon the ballot and become a candidate for any office
25 after he has paid to the city clerk a qualifying fee in the amount
26 of fifty dollars (\$50.00) and has filed with the city clerk his
27 written acceptance of such candidacy, which acceptance shall
28 state that if elected he will qualify and serve in such office during
29 the term for which he is elected. It shall be the duty of the city

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clerk forthwith on the paying of said qualifying fee and filing of such acceptance to make and deliver to such candidate a written certificate acknowledging the receipt of said qualifying fee and such acceptance. The payment of said qualifying fee and filing of such acceptance must be done ~~no earlier than noon on the second day in January nor later than noon on the sixteenth day in January of the calendar year in which the election is to be held. Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at any time after noon of the 1st day for qualifying, which shall be the 71st day prior to the primary election in Broward County, but not later than noon of the 67th day prior to the date of the primary election in Broward County.~~ If a candidate fails to comply with the provisions of this section, his name shall not appear on the ballot.

(c) A duly elected municipal officer shall take office within fourteen (14) days after the general election with the specific day to be decided by city ordinance.

Section 3: Codification. It is the intention of the City Commission

of the City of Wilton Manors, that the provisions of this Ordinance shall become and be made a part of the Charter of the City of Wilton Manors, Florida, and that Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 4: Severability. If any clause, section, or other part of this

Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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Section 5: Conflicts. That all Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall take effect immediately upon adoption.

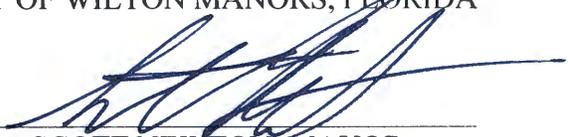
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PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, THIS 23rd DAY OF February, 2021.

PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS 9th DAY OF March, 2021.

CITY OF WILTON MANORS, FLORIDA

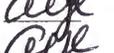
By: 
SCOTT NEWTON, MAYOR

ATTEST:


FAITH LOMBARDO
CITY CLERK

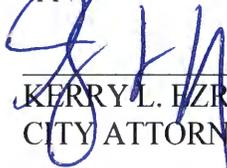
RECORD OF COMMISSION VOTE: 1ST Reading

MAYOR NEWTON
VICE MAYOR ROLLI
COMMISSIONER BRACCHI
COMMISSIONER CAPUTO
COMMISSIONER RESNICK

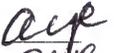
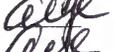



I HEREBY CERTIFY that I have approved the form of this Ordinance.


KERRY L. FZROL, ESQ.
CITY ATTORNEY

RECORD OF COMMISSION VOTE: 2ND Reading

MAYOR NEWTON
VICE MAYOR ROLLI
COMMISSIONER BRACCHI
COMMISSIONER CAPUTO
COMMISSIONER RESNICK




CODING: Words in strike through type are deletions from existing law;
Words in underlined type are additions.