

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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16 (c) A duly elected municipal officer shall take office within fourteen
17 (14) days after the general election with the specific day to be
18 decided by city ordinance.
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20 **Section 3: Codification.** It is the intention of the City Commission

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

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

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

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

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

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

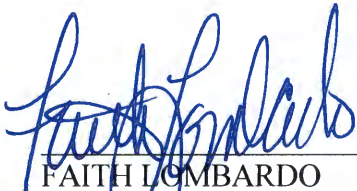
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4 PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY
5 COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS 9th
6 DAY OF March, 2021.

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9 CITY OF WILTON MANORS, FLORIDA

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12 By: 

13 SCOTT NEWTON, MAYOR

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16 ATTEST:

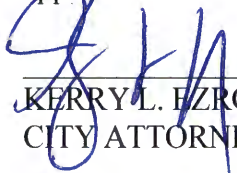
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21 FAITH LOMBARDO
22 CITY CLERK

RECORD OF COMMISSION VOTE: 1ST
Reading

23 MAYOR NEWTON
24 VICE MAYOR ROLLI
25 COMMISSIONER BRACCHI
26 COMMISSIONER CAPUTO
27 COMMISSIONER RESNICK



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

30 
31 KERRY L. EZROL, ESQ.
32 CITY ATTORNEY

RECORD OF COMMISSION VOTE: 2ND
Reading

33 MAYOR NEWTON
34 VICE MAYOR ROLLI
35 COMMISSIONER BRACCHI
36 COMMISSIONER CAPUTO
37 COMMISSIONER RESNICK

