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ORDINANCE NO. 030978
0-04-27

An Ordinance of the City of Gainesville, Florida; amending Section 9-14 of the City of Gainesville Code of Ordinances; providing for substitute members to the board of canvassers in the event that a member or members of the city commission are unable or not qualified to serve; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing to be held in the City Commission Auditorium, City Hall, City of Gainesville; and

WHEREAS, the Public Hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

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

Section 1. Subsection 9-14(a), City of Gainesville Code of Ordinances, is hereby amended to read as follows:

Sec. 9-14. Board of canvassers; composition; powers and duties.

(a) Composition.

(1) The board of canvassers for all elections held for election of city commissioners or mayor and for questions submitted to a vote of the people, except when state law requires the county canvassing board to be used, is as follows: the mayor, the mayor pro tempore of the city commission, and the clerk of the commission or designee.

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1 (2) If ~~any member of the board of canvassers~~ the mayor or mayor pro tempore is
2 unable to serve, is a candidate who has opposition in the election to be canvassed, or is an active
3 participant in the campaign or candidacy of any candidate who has opposition in the election
4 being canvassed, the mayor shall appoint another member of the city commission who is
5 qualified and able to replace that member of the board of canvassers.

6 ~~———(3)—— The mayor shall have authority to designate an additional city commissioner, or~~
7 ~~commissioners, to serve as a member of the board of canvassers in the absence of any member of~~
8 ~~the said board.~~

9 ~~(4)~~(3) The mayor or the appointed replacement of the mayor shall serve as the chair of
10 the board of canvassers.

11 (4) In the event that only one member of the city commission is qualified or able to
12 serve on the board of canvassers, the substitute member of the board of canvassers shall be a
13 county court judge appointed by the chief judge of the circuit. The member of the city
14 commission shall serve as the chair of the board of canvassers.

15 (5) In the event that no member of the city commission is qualified or able to serve on
16 the board of canvassers, the first substitute member of the board of canvassers shall be a county
17 court judge appointed by the chief judge of the circuit. The second substitute member of the
18 board of canvassers shall be the supervisor of elections or designee. The county court judge
19 shall serve as the chair of the board of canvassers.

20 (6) In the event that a substitute member cannot be appointed as provided elsewhere
21 in this section, the chief judge of the circuit shall appoint as a substitute member a qualified
22 elector of the city who is not a candidate with opposition in the election being canvassed and

