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4	ORDINANCE NO. <u>030978</u>	
5 6	0-04-27	
7	An Ordinance of the City of Gainesville, Florida; amending Section 9-14 of	
8	the City of Gainesville Code of Ordinances; providing for substitute	
9	members to the board of canvassers in the event that a member or members	
10	of the city commission are unable or not qualified to serve; providing	
11 12	directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate offective date	
12 13	repealing clause; and providing an immediate effective date.	
14		
15	WHEREAS, at least 10 days notice has been given once by publication in a newspaper	
16	of general circulation notifying the public of this proposed ordinance and of a Public Hearing to	
17	be held in the City Commission Auditorium, City Hall, City of Gainesville; and	
18	WHEREAS, the Public Hearings were held pursuant to the published notice described at	
19	which hearings the parties in interest and all others had an opportunity to be and were, in fact,	
20	heard; and	
21	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE	
22	CITY OF GAINESVILLE, FLORIDA:	
23	Section 1. Subsection 9-14(a), City of Gainesville Code of Ordinances, is hereby	
24	amended to read as follows:	
25	Sec. 9-14. Board of canvassers; composition; powers and duties.	
26 27	(a) Composition.	
28		
29	(1) The board of canvassers for all elections held for election of city commissioners	
30	or mayor and for questions submitted to a vote of the people, except when state law requires the	
31	county canvassing board to be used, is as follows: the mayor, the mayor pro tempore of the city	
32	commission, and the clerk of the commission or designee.	
	Ordinance 0-04-27 1	

CODE: Words <u>underlined</u> are additions; words <del>stricken</del> are deletions.

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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

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1	who is not an active participant in the campaign or	candidacy of any candidate with opposition in
2	the election being canvassed.	
3	<b>Section 2.</b> It is the intention of the City Co	ommission that the provisions of Section 1 of
4	this ordinance shall become and be made a part of	the Code of Ordinances of the City of
5	Gainesville, Florida, and that the Sections and Para	agraphs of this Ordinance may be renumbered
6	or relettered in order to accomplish such intentions	5.
7	Section 3. If any section, sentence, clause	or phrase of this ordinance is held to be
8	invalid or unconstitutional by any court of compete	nt jurisdiction, then said holding shall in no
9	way affect the validity of the remaining portions of	this ordinance.
10	Section 4. All ordinances, or parts of ordin	nances, in conflict herewith are to the extent of
11	such conflict hereby repealed.	
12	Section 5. This ordinance shall become ef	fective immediately upon final adoption.
13	PASSED AND ADOPTED this	day of March, 2004.
13 14 15 16 17 18 19 20 21 22	PASSED AND ADOPTED this ATTEST: KURT M. LANNON	day of March, 2004. THOMAS D. BUSSING, MAYOR Approved as to form and legality MARION J. RADSON
14 15 16 17 18 19 20 21	ATTEST:	THOMAS D. BUSSING, MAYOR Approved as to form and legality