1   ORDINANCE NO. _____
2   0-08-20
3
4   **An ordinance of the City of Gainesville, Florida, setting March**
5   **24, 2009 as the date for the 2009 regular city election and April**
6   **14, 2009 as the date for the 2009 run-off election, if necessary;**
7   **setting the dates for qualifying for the 2009 regular election;**
8   **providing a severability clause; providing a preemption clause;**
9   **and providing an immediate effective date.**
10
11   **WHEREAS**, pursuant to Section 9-2(b) of the Code of Ordinances the City

12   Commission is to adopt an ordinance setting the date of the next regular election by July

13   1st of each year; and

14   **WHEREAS**, pursuant to Section 9-10 of the Code of Ordinances the dates for

15   any person who meets the eligibility requirements described in Article II of the City

16   Charter and Section 9-10 of the Code of Ordinances to become a candidate for a seat on

17   the City Commission by filing the necessary qualifying papers with the supervisor of

18   elections shall run from noon of the 50th day prior to the day of the election to noon of

19   the 46th day prior to the day of the election.; and

20   **WHEREAS**, at least 10 days notice has been given once by publication in a

21   newspaper of general circulation notifying the public of this proposed ordinance and of a

22   Public Hearing in the Auditorium of City Hall in the City of Gainesville; and

23   **WHEREAS**, a Public Hearing was held pursuant to the published notice

24   described at which hearing the parties in interest and all others had an opportunity to be

25   and were, in fact, heard;

26   **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**

27   **OF THE CITY OF GAINESVILLE, FLORIDA:**

28   **Section 1**. The 2009 regular election for the City of Gainesville shall be held on

1

1 Tuesday, March 24, 2009; and, pursuant to Section 9-2(a) of the Code of Ordinances, the

2 date of the run-off election, if necessary, shall be Tuesday, April 14, 2009.

3 **Section 2**. The dates for any person who meets the eligibility requirements described

4 in Article II of the City Charter and Section 9-10 of the Code of Ordinances to become a

5 candidate in 2009 for a seat on the City Commission by filing the necessary qualifying

6 papers with the supervisor of elections shall run from noon of the 50th day prior to the day

7 of the election to noon of the 46th day prior to the day of the election. Specifically, the

8 qualifying dates shall be from noon on Monday, February 2, 2009 to noon on Friday,

9 February 6, 2009. To the extent that the qualifying dates for the 2009 general election set

10 forth herein conflict with the requirements of Section 9-10 of the Code of Ordinances, the

11 qualifying dates set forth herein shall govern and control for the 2009 general election.

12 **Section 3**. If any word, phrase, clause, paragraph, section or provision of this

13 ordinance or the application hereof to any person or circumstance is held invalid or

14 unconstitutional, such finding shall not affect the other provisions or applications of the

15 ordinance which can be given effect without the invalid or unconstitutional provisions or

16 application, and to this end the provisions of this ordinance are declared severable.

17 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the

18 extent of such conflict hereby repealed.

19 **Section 5.** This ordinance shall become effective immediately upon final adoption.

20 **PASSED AND ADOPTED** this _____ day of _____ 2008.
21
22
23
24 PEGEEN HANRAHAN
25 MAYOR
26

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ATTEST: Approved as to form and legality

_____   _____
KURT M. LANNON   MARION J. RADSON
CLERK OF THE COMMISSION   CITY ATTORNEY

This Ordinance passed on first reading this _____ day of May 2008.

This Ordinance passed on second reading this _____ day of June 2008.