



MEMORANDUM
Office of the City Attorney

Legistar No. 001270

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: May 29, 2001
FIRST READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-01-29

An ordinance of the City of Gainesville, Florida, setting April 2 as the date for the 2002 regular city election and April 16 as the date for the 2002 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

The City Commission at its meeting of May 14, 2001, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance setting April 2 as the date for the 2002 regular City election and, if necessary, April 16 as the date for the 2002 run-off election.

Prepared by:

Patricia M. Carter,
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson,
City Attorney

MJR:PMC:sw

ORDINANCE NO. _____
0-01-29

An ordinance of the City of Gainesville, Florida, setting April 2 as the date for the 2002 regular city election and April 16 as the date for the 2002 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, section 9-2 of the Code of Ordinances provides that the city commission set the date of the regular election by ordinance; and

WHEREAS, section 9-2 of the Code of Ordinances provides that the clerk of the commission shall recommend a date for the election; and

WHEREAS, the clerk of the commission has recommended a date of April 2, 2002; and

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 in the Auditorium of City Hall in the City of Gainesville; and

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

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

Section 1. The 2002 regular election for the City of Gainesville shall be held on April 2, 2002; and, pursuant to section 9-2 of the Code of Ordinances, the date of the run-off election, if necessary, shall be April 16, 2002.

Section 2. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no

1 way affect the validity of the remaining portions of this ordinance.

2 **Section 3.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
3 such conflict hereby repealed.

4 **Section 4.** This ordinance shall become effective immediately upon final adoption.

5 PASSED AND ADOPTED this _____ day of _____, 2001.

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THOMAS D. BUSSING
MAYOR

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12 ATTEST:

Approved as to form and legality

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KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

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20 This Ordinance passed on first reading this ___ day of _____ 2001.

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22 This Ordinance passed on second reading this ___ day of _____, 2001.

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