

LEGISTAR NO.

150352

1 **ORDINANCE NO. 150352**
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4 AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA,
5 SETTING MARCH 15, 2016 AS THE DATE FOR THE 2016
6 REGULAR CITY ELECTION AND APRIL 12, 2016 AS THE
7 DATE FOR THE 2016 RUN-OFF ELECTION, IF NECESSARY;
8 SETTING THE DATES FOR QUALIFYING FOR THE 2016
9 REGULAR ELECTION; PROVIDING A SEVERABILITY
10 CLAUSE; PROVIDING A REPEALING CLAUSE; REPLACING
11 AND SUPERSEDING ORDINANCE NO. 140911; AND
12 PROVIDING AN IMMEDIATE EFFECTIVE DATE.
13

14 **WHEREAS**, pursuant to Section 9-2(b) of the Code of Ordinances the City
15 Commission is to adopt an ordinance setting the date of the next regular election by July 1st
16 of each year; and

17 **WHEREAS**, Section 9-10 of the Code of Ordinances establishes the dates for any
18 person who meets the eligibility requirements described in Article II of the City Charter and
19 Section 9-10 of the Code of Ordinances to become a candidate for a seat on the City
20 Commission by filing the necessary qualifying papers with the supervisor of elections shall
21 run from noon of the 50th day prior to the day of the election to noon of the 46th day prior to
22 the day of the election; and

23 **WHEREAS**, the 2016 City Regular Election will be held in conjunction with the
24 Presidential Preference Primary; and

25 **WHEREAS**, in order to accommodate the Supervisor of Elections' schedule for
26 mailing overseas ballots for the Presidential Preference Primary, the dates for qualifying for
27 the 2016 regular election must be changed; and

28 **WHEREAS**, Section 101.75(3) Flat. Stat. provides that "Notwithstanding any

1 provision of local law or municipal charter, the governing body of a municipality may, by
2 ordinance, move the date of any municipal election to a date concurrent with any statewide
3 or countywide election. The dates for qualifying for the election moved by the passage of
4 such ordinance shall be specifically provided for in the ordinance”; and

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

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

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

13 **Section 1.** The 2016 regular election for the City of Gainesville shall be held on
14 Tuesday, March 15, 2016; and, pursuant to Section 9-2(a) of the Code of Ordinances, the
15 date of the run-off election, if necessary, shall be Tuesday, April 12, 2016.

16 **Section 2.** The dates for any person who meets the eligibility requirements described
17 in Article II of the City Charter and Section 9-10 of the Code of Ordinances to become a
18 candidate in 2016 for a seat on the City Commission by filing the necessary qualifying
19 papers with the supervisor of elections shall run from noon of the 92nd day prior to the day
20 of the election to noon of the 88th day prior to the day of the election. Specifically, the
21 qualifying dates shall be from noon on Monday, December 14, 2015 to noon on Friday,

1 December 18, 2015. To the extent that the qualifying dates for the 2016 general election set
2 forth herein conflict with the requirements of Section 9-10 of the Code of Ordinances, the
3 qualifying dates set forth herein shall govern and control for the 2016 general election.

4 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this
5 ordinance or the application hereof to any person or circumstance is held invalid or
6 unconstitutional, such finding shall not affect the other provisions or applications of the
7 ordinance which can be given effect without the invalid or unconstitutional provisions or
8 application, and to this end the provisions of this ordinance are declared severable.

9 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the
10 extent of such conflict hereby repealed. This ordinance replaces and supersedes Ordinance
11 No. 140911.

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

13 **PASSED AND ADOPTED** this _____ day of October, 2015.

14
15
16 _____
17 EDWARD B. BRADDY
18 MAYOR

19 ATTEST: Approved as to form and legality
20

21
22 _____
23 KURT M. LANNON
24 CLERK OF THE COMMISSION
25
26 _____
27 NICOLLE M. SHALLEY
28 CITY ATTORNEY

26 This Ordinance passed on first reading on October ____, 2015.

27 This Ordinance passed on second reading October ____, 2015.