

## City of Gainesville – Code of Ordinances

- **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, or a member of the commission, a citizen appointed by the city commission, and the clerk of the commission or designee.

(2)

If either the mayor, the mayor pro tempore, or a member of the city commission is: a) unable to serve; b) is a candidate who has opposition in the election to be canvassed, or c) is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, then the city auditor or designee shall replace that member of the board of canvassers.

(3)

The mayor, the mayor pro tempore, or a member of the city commission or their replacement shall serve as the chair of the board of canvassers.

(b)

*Powers and duties.* The board may begin the canvassing of absentee ballots at or after 7:00 a.m. on the fourth day before the election, but shall begin not later than noon on the day following the election; however, the counting of votes on absentee ballots shall begin no earlier than 7:00 p.m. on the day of the election. In addition, whenever electronic tabulating equipment is used, the processing of absentee ballots through such tabulating equipment may begin upon the opening of the polls on election day. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result or tabulation of absentee ballots shall be made until after the close of the polls on election day. The board shall canvass the election returns of the inspectors and clerks of the election and the absent electors' ballots to declare the result of the election. In the event it may be necessary in order to come to a proper decision, the board shall have the power to examine witnesses and to take testimony.

*(Code 1960, § 11-14; Ord. No. 3301, § 7, 11-17-86; Ord. No. 3349, § 4, 8-10-87; Ord. No. 4063, § 1, 2-13-95; Ord. No. 960834, § 1, 4-14-97; Ord. No. 980736, § 1, 1-11-99; Ord. No. 030596, § 1, 12-8-03; Ord. No. 030978, § 1, 3-18-04; Ord. No. 090078, § 2, 12-17-09)*

- **Sec. 9-14.1. - Certificate of result.**

The supervisor shall certify the total number of voted ballots to the board of canvassers on a composite form of certificate to be used by the board of canvassers which shall provide for the entry of the number of votes for each candidate and upon each question cast at the several polling places in the city, and for the entry of the number of votes for each candidate or upon each question cast by absentee voters' ballots, and for the total number of votes cast for each candidate or upon each question. Such certificate shall be signed in duplicate by each member of the board of canvassers present at the time the canvass of the election was made; one copy of such certificate shall be incorporated in the minutes of the next regular meeting of the city commission following the canvass of the election and the other copy of the certificate shall be publicly posted at the city hall.