

**LEGISTAR NO.**

**130397**

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ORDINANCE NO. 130397

**An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; amending Section 9-6.5 as it relates to early voting sites; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, the City Commission at its meeting of October 3, 2013, authorized the City Attorney to draft an ordinance changing sections of the City's Election Code to allow for additional early voting sites for municipal elections in accordance with state law; 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.** Chapter 9 of the Code of Ordinances of the City of Gainesville is amended to read as follows:

**Sec.9-6.5. Early voting.**

- (a) As a convenience to the voter, early voting shall be allowed in municipal general elections that are not held in conjunction with county or state

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1 elections. The provisions of this section shall apply only to municipal  
2 general elections that are not held in conjunction with county or state  
3 elections. Early voting in municipal elections that are held in conjunction  
4 with county or state elections shall be governed as provided by state law.

5 (b) This section shall not apply to municipal special elections that are not held  
6 in conjunction with county or state elections.

7 (c) ~~The e~~Early voting site for early voting pursuant to this section shall be the  
8 ~~main office of the supervisor of elections of Alachua County, Florida, and~~  
9 ~~the supervisor shall designate an early voting area~~ at such sites as are  
10 allowed by state law and designated as early voting sites by the City  
11 Commission.

12 (d) Early voting pursuant to this section shall begin on the eighth day before  
13 the general election and end on the second day before the general election.  
14 If a runoff general election is necessary, early voting pursuant to this  
15 section shall begin on the eighth day before the runoff general election and  
16 end on the second day before the runoff general election. Early voting  
17 pursuant to this section shall be provided for eight hours per weekday and  
18 eight hours in the aggregate each weekend during the applicable period.

19 The early voting site shall open no sooner than 7:00 a.m. and close no later  
20 than 7:00 p.m. on each applicable day.

21 **Section 2.** It is the intention that Section 1 of this ordinance shall become and be  
22 made a part of the Code of Ordinances, of the City of Gainesville, Florida, and that the  
23 Sections and Paragraphs of this ordinance may be renumbered or relettered in order to

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

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1 accomplish such intentions.

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

7 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the  
8 extent of such conflict hereby repealed.

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

11 **PASSED AND ADOPTED** this \_\_\_\_ day of November, 2013.  
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15 \_\_\_\_\_  
16 EDWARD B. BRADDY  
17 MAYOR

18  
19 ATTEST:

Approved as to form and legality

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22  
23 \_\_\_\_\_  
24 KURT M. LANNON  
25 CLERK OF THE COMMISSION

26  
27 \_\_\_\_\_  
28 NICOLLE M. SHALLEY  
29 CITY ATTORNEY

This Ordinance passed on first reading this \_\_\_\_ day of November, 2013.

This Ordinance passed on second reading this \_\_\_\_ day of November, 2013.