

ORDINANCE 050373

0-05-98

An ordinance of the City of Gainesville amending Chapter 9 Elections by amending Sections 9-5 and creating Section 9-6.5 by providing early voting in municipal elections; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

**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 City Commission Auditorium in City Hall, 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, Section 9-5 of the Code of Ordinances of the City of Gainesville is amended to read as follows:

**Sec. 9-5. Mayor to issue proclamation; contents; publication.**

Thirty days prior to any and all elections for mayor or commissioners the mayor shall issue a proclamation calling the election. The proclamation shall specify what officers are to be elected, the length of time the officers are to serve and the time and date of holding the election, including any provision for early voting as allowed in this Chapter. Such proclamation shall be published once in a newspaper of general circulation published in the city.

**Section 2.** Chapter 9, Section 9-6.5 of the Code of Ordinances of the City of Gainesville is created to read as follows:

1 **Sec. 9-6.5. Early Voting.**

2 (a) As a convenience to the voter, early voting shall be allowed in municipal general  
3 elections that are not held in conjunction with county or state elections. The provisions of this  
4 section shall apply only to municipal general elections that are not held in conjunction with  
5 county or state elections. Early voting in municipal elections that are held in conjunction with  
6 county or state elections shall be governed as provided by state law.

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

9 (c) The early voting site for early voting pursuant to this section shall be the main office  
10 of the supervisor of elections of Alachua County, Florida, and the supervisor shall designate an  
11 early voting area.

12 (d) Early voting pursuant to this section shall begin on the 8th day before the general  
13 election and end on the 2nd day before the general election. If a runoff general election is  
14 necessary, early voting pursuant to this section shall begin on the 8th day before the runoff  
15 general election and end on the 2nd day before the runoff general election. Early voting pursuant  
16 to this section shall be provided for 8 hours per weekday and 8 hours in the aggregate each  
17 weekend during the applicable period. The early voting site shall open no sooner than 7 a.m. and  
18 close no later than 7 p.m. on each applicable day.

19 **Section 3.** It is the intention of the City Commission that Section 1 and Section 2 of this  
20 ordinance shall become and be made a part of the Gainesville Code of Ordinance, of the City of  
21 Gainesville, Florida, and that the Sections and Paragraphs of this ordinance may be renumbered or  
22 relettered in order to accomplish such intentions.

1           **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or  
2 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the  
3 validity of the remaining portions of this ordinance.

4           **Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
5 such conflict hereby repealed.

6           **Section 6.** This ordinance shall become effective immediately on adoption.

7           **PASSED AND ADOPTED** this 14th day of November, 2005.


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PEGEEN HANRAHAN  
MAYOR

13   ATTEST

APPROVED AS TO FORM AND LEGALITY

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KURT M. LANNON  
CLERK OF THE COMMISSION

  
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MARION J. RADSON  
CITY ATTORNEY

NOV 15 2005

20   This Ordinance passed on first reading this 24th day of October, 2005.

21   This Ordinance passed on second reading this 14th day of November, 2005.

RE-ADVERTISEMENT  
CORRECTIVE NOTICE OF  
PROPOSED ENACTMENT  
OF ORDINANCE  
BY CITY COMMISSION,  
GAINESVILLE, FLORIDA

# AFFIDAVIT OF PUBLICATION

**The Gainesville Sun**  
Published - Daily  
Gainesville, Alachua County, Florida

STATE OF FLORIDA  
COUNTY OF ALACHUA

Before the undersigned, a Notary Public of Said County and State, Ernest E. III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the

**ADVERTISEMENT CORRECTIVE NOTICE OF PROPOSED ENACTMENT OF ORDINANCE BY CITY COMMISSION, GAINESVILLE, FLORIDA** Notice is given that the proposed ordinances, whose titles appear below will be considered for First Reading on the 24th day of October,

published in said newspaper in the issues of:

**ORDINANCE TITLE**  
**ORDINANCE NO. 050373**  
An ordinance of the City of Gainesville amending Chapter 9 Elections by amending Sections 9-5 and creating Section 9-6.5 by providing voting in municipal elections; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.  
**ORDINANCE NO. 050228**  
An ordinance of the City of Gainesville repealing Section 21-10, relating to use of television surveillance equipment in investigation and detection of crime; and providing an immediate effective date.  
Note: "All persons are advised that, if any person decides to appeal any decision made at any of these meetings, they will need a record of the proceedings and, for such purpose, they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."  
October 18, 2005  
Publish Date  
Kurt M. Lannon  
Clerk of the Commission  
29143, 10/18/05  
#A000080345

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the newspaper has heretofore been continuously published in said Alachua County, Florida, daily, and has been entered as second class mail matter at the post office in Gainesville in said Alachua County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and that the affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the person of securing the advertisement for publication in the said newspaper.

[Signature] and subscribed before me this 19<sup>th</sup> day of October, A.D., 2005

[Signature]  
Notary Public  
Jeffrey L. Bloodsworth  
MY COMMISSION # DD159430 EXPIRES  
October 20, 2006  
(Print Name of Notary Public)  
BOMBED BY THE FARM INSURANCE CO.

My commission expires 20 day of Oct, 2006

Ad #: A000080345

CITY OF GAINESVILLE  
CITY COMMISSION  
2005 OCT 21 AM 10:40



**CITY OF GAINESVILLE**

*Clerk of the Commission*

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. 72 on this 17th day of

November, 2005 and that the title of this ordinance was published in  
the Gainesville Sun.

Kurt M. Lannon, Jr.  
Clerk of the Commission