



# MEMORANDUM

Office of the City Attorney

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

JUNE 10, 2002

TO: Mayor and City Commission

DATE: ~~May 13, 2002~~

FROM: Marion J. Radson, City Attorney

~~--FIRST READING--~~

SUBJECT: Ordinance No. 0-02-17

SECOND READING

An ordinance of the City of Gainesville, Florida, setting April 8 as the date for the 2003 regular city election and April 22 as the date for the 2003 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.


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Recommendation: The City Commission adopt the proposed ordinance.

The City Commission, at its meeting of April 22, 2002, authorized the City Attorney's Office to draft an ordinance setting the 2003 regular city election and run-off election dates.

By ordinance, the run-off election must be held on the second Tuesday following the first election between the candidates. New changes in the state election laws may necessitate a change in this ordinance provision and other sections of the ordinance. The City Attorney's Office will be making a presentation to the City Commission on potential recommended changes.

Prepared by:

  
Elizabeth A. Waratuke  
Litigation Attorney

Submitted by:

  
Marion J. Radson  
City Attorney

EAW/nmh

h:/EAW/elections/city elections-2003

Passed on first reading by a vote of 5-0 on 5/13/02.

ORDINANCE NO. 0002644  
0-02-17

**An ordinance of the City of Gainesville, Florida, setting April 8 as the date for the 2003 regular city election and April 22 as the date for the 2003 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 the regular election

date of April 8, 2003; 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 2003 regular election for the City of Gainesville shall be held on

April 8, 2003; and, pursuant to section 9-2 of the Code of Ordinances, the date of the run-

off election, if necessary, shall be April 22, 2003.

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

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5 extent of such conflict hereby repealed.

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

8           **PASSED AND ADOPTED** this \_\_\_\_ day of June, 2002.

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THOMAS D. BUSSING  
MAYOR

ATTEST:

Approved as to form and legality

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KURT M. LANNON  
CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON  
CITY ATTORNEY

This Ordinance passed on first reading this \_\_\_\_ day of May, 2002.

This Ordinance passed on second reading this \_\_\_\_\_ day of June, 2002.

