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**ORDINANCE NO. 020628**  
**0-02-68**

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**An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-1.1 of the Code of Ordinances by apportioning the City into four consecutively numbered election districts; by creating a fourth election district and amending the current election districts; making the districts ratably or equally proportioned as required by law; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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**WHEREAS**, Section 2.01(2) of the City Charter of the City of Gainesville (the "Charter") provides that at any time the population within the City reaches or exceeds 110,000 persons, as ascertained as of the effective date of any annexation, the City Commission shall, by ordinance, apportion the City into four consecutively numbered election districts; and

**WHEREAS**, § 2.02 of the Charter of the City of Gainesville provides that the city commission shall, by ordinance, adjust the boundary lines of the election districts by ordinance whenever, in its judgment, the districts are not ratably or equally proportioned in accordance with the federal and state Constitutions; and

**WHEREAS**, the City Commission requested the Charter Review Committee to apportion the City into four consecutively numbered election districts using the census data and other relevant information; and

**WHEREAS**, the City retained the services of professional consultants to advise the Charter Review Committee and the City Commission in reviewing the census data and other relevant information and making recommendations based upon that data and other relevant information; and

**WHEREAS**, the professional consultants and the Charter Review Committee recommend the apportionment of the City into four election districts as set forth herein; and

**WHEREAS**, the City Commission finds that the four election districts are ratably or

1 equally proportioned in accordance with the United States Constitution and the Constitution of  
2 the State of Florida as interpreted and guided by decisional case law; and

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

6 **WHEREAS**, the Public Hearings were held pursuant to the published notice described at  
7 which hearings the parties in interest and all others had an opportunity to be and were, in fact,  
8 heard;

9 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
10 **CITY OF GAINESVILLE, FLORIDA:**

11 **Section 1.** Section 9-1.1 of the Code of Ordinances of the City of Gainesville is amended  
12 to read as follows:

13 **Sec. 9-1.1. Election districts.**

14 (a) In accordance with section 2.02 of the Charter of the city, the following election districts  
15 are hereby established for the purpose of representation upon and election of ~~three~~ four members  
16 to the city commission:

17 **District No. 1**

18 District No. 1 shall be comprised of the following precincts: Precinct Nos. 13, 16, 19, ~~23~~,  
19 25, 28, 29, 33 and 55 ~~59~~.

20 **District No. 2**

21 District No. 2 shall be comprised of the following precincts: Precinct Nos. 7, 12, 17, ~~part~~  
22 ~~of~~ 21, ~~27~~, 37, 38, 45, ~~55~~, 57, ~~and~~ 58, 61 and 64.

23 **District No. 3**

1 District No. 3 shall be comprised of the following precincts: Precinct Nos. 4, ~~5, part of~~  
2 ~~21, 24, 26, 31, 32, 40, 44, and 54, 61 and 64.~~

3 District No. 4

4 District No. 4 shall be comprised of the following precincts: Precinct Nos. 5, 7, 23, 27,  
5 31 and 59.

6 A map identifying the election districts is attached to the ordinance as Exhibit A for illustrative  
7 purposes only and is on file in the office of the clerk of the commission.

8 (b) As used in this section, the term "precincts" means the county election precincts of  
9 Alachua County, Florida, as established by the board of county commissioners and approved by  
10 the supervisor of elections. The boundaries of said precincts are the boundaries as they exist on  
11 the effective date of the ordinance from which this section derives or any amendatory ordinance,  
12 but only to the extent that they are located within the corporate limits of the city.

13 **Section 2.** The City Commission hereby finds and determines that the four election  
14 districts established herein are ratably or equally proportioned as is practicable in accordance  
15 with the Constitutions of the United States and of the State of Florida.

16 **Section 3.** It is the intention of the City Commission that the provisions of Section 1 of  
17 this Ordinance shall become and be made a part of the Code of Ordinances of the City of  
18 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered  
19 or relettered in order to accomplish such intentions.

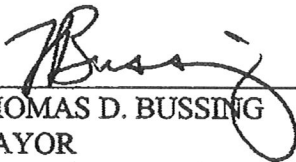
20 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
21 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
22 affect the validity of the remaining portions of this ordinance.

23 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of

1 such conflict hereby repealed.


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

3 **PASSED AND ADOPTED** this 9th day of December, 2002.  
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9 THOMAS D. BUSSING  
10 MAYOR

11 ATTEST:

Approved as to form and legality

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15 KURT M. LANNON  
16 CLERK OF THE COMMISSION

  
MARION J. RADSON  
CITY ATTORNEY

**DEC 10 2002**

17 This Ordinance passed on first reading this 25th day of November, 2002.

18 This Ordinance passed on second reading this 9th day of December, 2002.  
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# FOUR ELECTION DISTRICTS

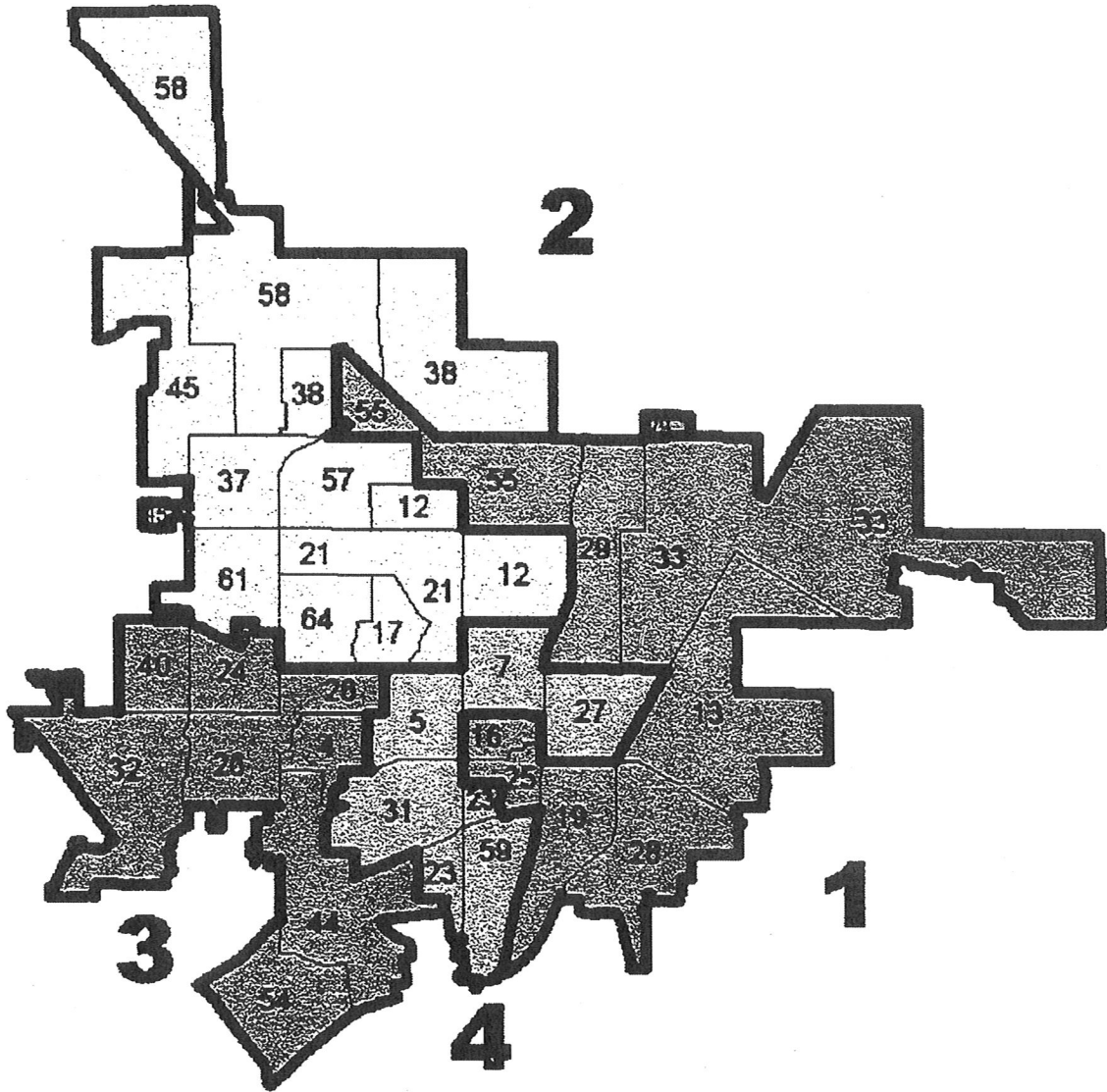


EXHIBIT "A"