

ORDINANCE NO. 001723
0-01-54

An ordinance of the City of Gainesville, Florida; relating to election districts, amending Sec. 9-1.1 of the Code of Ordinances of the City of Gainesville by moving Precinct No. 21 from District 2 to District 3; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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 not less frequently than within the second year following each decennial census; and

WHEREAS, the U.S. Census Bureau completed and published the 2000 Census Report; and

WHEREAS, the City Commission requested the Charter Review Committee to review the 2000 census data and consider whether any amendments or revisions to the boundary lines of the districts are advisable; 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 making recommendations based upon that data and other relevant information; and

WHEREAS, the professional consultants and the Charter Review Committee recommend an adjustment in the boundary lines of Districts 2 and 3 in order to make the election districts ratably or equally proportioned in accordance with the United States Constitution and the Constitution of the State of Florida as interpreted and guided by decisional case law; and

WHEREAS, at least 10 days notice has been given by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the

1 commission.

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

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

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

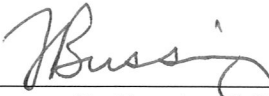
14 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
15 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
16 affect the validity of the remaining portions of this ordinance.

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

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


2 **PASSED AND ADOPTED** this 24th day of September, 2001.

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Thomas D. Bussing, Mayor

Approved as to form and legality

ATTEST:


Kurt M. Lannon
Clerk of the Commission



Marion J. Radson
City Attorney

SEP 25 2001

This Ordinance passed on first reading this 10th day of September, 2001.

This Ordinance passed on second reading this 24th day of September, 2001.