

Legislative #

200744

28 difference between the 10 cents per signature to be paid by candidates and the actual cost of the
29 Supervisor of Elections to verify signatures; and

30 **WHEREAS**, this Ordinance does not create a hardship exemption for the qualifying fee
31 or petition process cost; and

32 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
33 newspaper of general circulation notifying the public of this proposed ordinance and of public
34 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
35 Gainesville; and

36 **WHEREAS**, public hearings were held pursuant to the notice described above at which
37 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

38 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
39 **CITY OF GAINESVILLE, FLORIDA:**

40 **Section 1.** Section 9-10 of Chapter 9 of the Gainesville Code or Ordinances is amended
41 to read as follows:

42 **Sec. 9-10. - Qualifications of candidates for city commission.**

- 43 (a) Any person who meets the eligibility requirements described in Article II of the Charter
44 may become a candidate for the office of mayor or city commissioner of the city by filing
45 the necessary qualifying papers as provided in Florida Statutes with the registration and
46 qualifying officer for the city during the qualifying period, and complying with the
47 requirements to 1) pay the election assessment and 2) pay the qualifying fee or submit
48 petition signatures as part of the petition process.
- 49 (b) The qualifying period for a regular election shall coincide with the qualifying period
50 provided by general law to qualify for election to a county office.

51 (c) Election assessment; qualifying fee; petition process.

52 (1) Election Assessment. As a condition precedent to having the candidate's name printed
53 on the ballot for such election such person shall pay to the registration and qualifying
54 officer for the city the election assessment imposed by general law, or be exempted from
55 such payment of assessment pursuant to the provisions of general law.

56 (2) Qualifying fee or petition process.

57 a. Qualifying fee option. In addition to the election assessment, candidates shall
58 pay to the registration and qualifying officer for the city a qualifying fee of two
59 percent of the annual salary of the office sought.

60 b. Petition process option. In lieu of payment of the qualifying fee, a candidate
61 may collect signatures of registered voters on a petition form. Candidates who
62 seek to qualify through the petition process shall comply with the following
63 requirements:

64 1. Candidates must use the petition form required by the registration and
65 qualifying officer for the city.

66 2. Signatures may not be obtained until the candidate has filed the
67 appointment of campaign treasurer and designation of campaign
68 depository pursuant to state law and are valid only for the qualifying
69 period immediately following such filings.

70 3. Except as provided in subsection 4 below, candidates must obtain the
71 number of signatures of registered voters in the geographical area
72 represented by the office sought equal to at least one percent of the total
73 number of registered voters of that geographical area, as determined by

74 the number of registered voters in that geographical area in the last city
75 election.

76 4. If new city commission districts have not been adopted as part of
77 redistricting at least four months before the deadline to submit petition
78 signatures, candidates must obtain the number of signatures of any
79 registered voters residing anywhere within the city, regardless of district
80 boundaries, equal to at least one percent of the total number of registered
81 voters of the current district for which the candidate seeks office, as
82 determined by the number of registered voters in that current district in
83 the last city election.

84 5. The candidate must submit petitions before noon of the 28th day preceding
85 the first day of the qualifying period for the office sought to the
86 registration and qualifying officer for the city. The candidate must pay in
87 advance the sum of 10 cents (\$0.10) for each signature checked to the
88 registration and qualifying officer for the city.

89 6. The registration and qualifying officer for the city shall check the
90 signatures on the petitions to verify their status as voters in the city or
91 geographical area represented by the office sought, as applicable. The city
92 may contract with the Supervisor of Elections of Alachua County to
93 verify the petition signatures on behalf of the registration and qualifying
94 officer for the city. The city will bear the cost to verify signatures that
95 exceeds 10 cents (\$0.10) per signature.

96 7. No later than the 7th day before the first day of the qualifying period, the
97 registration and qualifying officer for the city shall certify the number of
98 valid signatures.

99 (d) Any person who is seeking election as a write-in candidate shall not be required to pay a
100 ~~filing an election assessment or qualifying fee or submit a petition~~. A write-in candidate
101 shall not be entitled to have the candidate's name printed on any ballot; however, space
102 for the candidate's name to be written in shall be provided on the ballot. No person may
103 qualify as a write-in candidate if the person has also otherwise qualified for election to
104 such office. All write-in candidates must submit their qualifying paperwork to the
105 registration and qualifying officer for the city by the end of the qualifying period set out
106 above.

107 (e) For purposes of determining the eligibility requirements of Article II of the Charter, a
108 person who resides in an area that is redistricted into another district (hereinafter the "new
109 district") shall be deemed to be a resident of the new district if the person resides
110 anywhere within the area that is placed in the new district for a period of not less than six
111 months prior to the date the person qualifies to run for office.

112 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of
113 this Ordinance shall become and be made a part of the Charter and the Code of Ordinances of the
114 City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be
115 renumbered or relettered in order to accomplish such intentions.

116 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
117 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
118 finding shall not affect the other provisions or applications of this ordinance that can be given

119 effect without the invalid or unconstitutional provision or application, and to this end the
120 provisions of this ordinance are declared severable.

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

123 **Section 5.** This ordinance shall become effective immediately upon adoption.

124 **PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.**

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LAUREN POE
MAYOR

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131 ATTEST:

Approved as to form and legality

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OMICHELE D. GAINES
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY

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140 This ordinance passed on first reading this ____ day of _____, 2022.

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142 This ordinance passed on second reading this ____ day of _____, 2022.

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