

ORDINANCE NO. 5664

PROPOSED ORDINANCE NO. 17-053

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE CANVASSING BOARD; AMENDING SECTION 30-126 OF THE CODE OF THE CITY OF LAKELAND; CLARIFYING CANVASSING BOARD DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND,

FLORIDA:

SECTION 1. Section 30-126 of the Code of the City of Lakeland, Florida is hereby amended to provide as follows:

Sec. 30-126. - Canvassing board.

(a)

For any city election, the city commission shall be the canvassing board. No commissioner may participate in the canvassing of the returns of the election for the seat for which he was a candidate, or was subject to recall.

(b)

The commission shall convene as a canvassing board ~~no later than the third day following the election~~ on election night. At that time the city clerk shall present the returns by precinct and seat or issue. Absentee ballots shall be opened and counted or rejected at that meeting. Any action by the canvassing board shall require a majority vote of those qualified to serve on the canvassing board.

(c) The commission shall convene again as a canvassing board no later than the third business day following the election. Provisional ballots shall be opened and counted or rejected at that meeting. The precinct and race shall be selected for the post-election audit.

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(ed)

The commission shall canvass the returns in accordance with F.S. § 102.141(3), and canvass absentee ballots in accordance with F.S. § 101.68.

(de)

At such time as the commission has canvassed the returns, disposed of any challenges thereto, and ascertained and certified the results, the city clerk shall issue a certificate of election to each candidate elected and issue and file a certificate of election for each issue.

SECTION 2. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 3. This Ordinance shall become effective immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 2nd day of October 2017.

R. HOWARD WIGGS, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. MCCAUSLAND
CITY ATTORNEY