

ORDINANCE 2015-25

AN ORDINANCE OF THE CITY OF BELLEAIR BLUFFS, FLORIDA; AMENDING SECTION 18-7 TO CORRECT A TYPOGRAPHICAL ERROR; AMENDING SECTION 18-14 TO DELETE THE SUPPLEMENTAL QUALIFYING PERIOD IN THE EVENT OF DEATH OR REMOVAL OF A CANDIDATE; AMENDING SECTION 18-20 TO STRIKE THE TERM “WHENEVER POSSIBLE” WITH REGARD TO EACH POLLING PLACES’ ACCESSIBILITY STANDARDS, AND TO DELETE THE PROVISION AND FLORIDA STATUTE REFERENCE FOR POLLING PLACE ARRANGEMENT; AMENDING SECTION 18-21 TO DELETE THE PROVISION AND FLORIDA STATUTE REFERENCE FOR THE NUMBER OF VOTING MACHINES TO BE USED IN EACH CITY ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Belleair Bluff’s Charter and Ordinance Review Committee has recommended revisions to the Code of Ordinances of Belleair Bluffs, Florida to amend Chapter 18 by correcting a typographical error, removing the supplemental qualifying period in the event of death or removal of a candidate, revising the accessibility standards requirement for each polling place, and deleting the provision for polling place arrangement and the provision for the number of voting machines to be used; and

WHEREAS, the recommendations of the Charter and Ordinance Review Committee have been found meritorious by the City Commission;

WHEREAS, the City Commission has received input from the public at two public hearings; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEAIR BLUFFS, FLORIDA, THAT:

Section 1: That Section 18-7 of Chapter 18 of Part I of the Code of Ordinances is amended to read as follows:

Sec. 18-7. Voter registration.

- A. The city does hereby recognize and adopt the permanent single registration system for the registration of electors established by F.S. § 98.041. EN Individuals residing within the corporate limits of the city otherwise qualified and registered to vote in accordance with F.S. §§ 97.041 through 97.1031 are the electors of the city.
- B. Any registered elector of the city may be removed from the registration records pursuant to F.S. § 98.081.

Section 2: That Section 18-14 of Chapter 18 of Part I of the Code of Ordinances is amended to read as follows:

Sec. 18-14. Death or removal of candidates.

If the death or removal from the ballot of a qualified candidate following the end of the qualifying period results in fewer than two candidates remaining for a single office or fewer than three candidates for the office of Commissioner when two Commission seats are to be filled, a special election shall be scheduled by the City Commission not less than 70 days nor more than 120 days after the vacancy in the candidacy has occurred.

- ~~A. If such special election is called, a supplemental qualifying period shall commence on the day following the day that the City Commission schedules such special election. The supplemental qualifying period shall end at 12:00 noon on the 36th day prior to the date of the special election. Such supplemental qualifying period shall be not less than 30 days in duration. Any candidate wishing to qualify during the supplemental qualifying period shall qualify as is otherwise set forth herein.~~
- ~~B. A remaining candidate, if any, for the office subject to the special election shall not be required to requalify for election or pay a second filing fee. Said remaining candidate shall not be declared an unopposed candidate under Chapter 106 of the Florida Statutes unless no additional candidate qualifies for election during the supplemental qualifying period. The remaining candidate may continue to accept campaign contributions until the candidate is declared unopposed. In the event that no additional candidate is qualified and the remaining candidate is therefore unopposed, said candidate shall be declared elected in accordance with § 18-11 herein.~~
- ~~C. The filing of campaign expense statements pursuant to Chapter 106 of the Florida Statutes by candidates in the special election, including a remaining candidate, shall not be later than such dates as are established by the City Clerk. In establishing such dates, the City Clerk shall take into consideration and be governed by the practical time limitations and the date so established for such statements in a regular city election.~~
- ~~D. If a special election is called pursuant to this subsection and other candidates qualify for election during the supplemental qualifying period, supplemental absentee ballots for the special election shall be mailed by the City Clerk to any absentee voter who was mailed an absentee ballot for the regular election. If an absentee voter returns the initial ballot, his vote~~

~~for that office for which the special election was called will be null and void, but the elector's votes on all other offices and issues shall be counted.~~

~~E. Supplemental qualifying period.~~

~~(1) A. If during the supplemental qualifying period no candidates qualify for a single office or if during such period the one qualified candidate is eliminated because of death, withdrawal or removal from the ballot and if a vacancy shall result, such vacancy shall be filled in accordance with the provisions of § 18-17 herein.~~

~~(2) B. In the situation where two Commission seats are to be filled and no candidates qualify or only one candidate qualifies during the supplemental period, the sole candidate, if any, shall be declared elected, and the vacancy or vacancies shall be filled in accordance with the provisions of § 18-17 herein.~~

~~(F) C. The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be modified prior to the election, any votes for that candidate shall be null and void.~~

Section 3: That Section 18-20 of Chapter 18 of Part I of the Code of Ordinances

is amended to read as follows:

Sec. 18-20. Polling places.

A. Whenever possible, those polling places designated and used by the Supervisor for federal, state and county elections shall be used for city elections.

B. Each polling place shall ~~whenever possible,~~ be accessible to the handicapped and comply with the standards of accessibility set forth in F.S. § 101.715(1).

~~C. The polling place shall be arranged in the manner prescribed in F.S. § 101.37.~~

~~D~~C. No one except the inspectors of the elections shall be allowed to speak to the voter while in the polling place casting his or her vote, and no inspector shall speak or interfere with any voter concerning the manner of his or her voting or any ballot he or she may vote other than to perform his or her duties as such inspector specified herein; provided, however, that an elector may seek and receive assistance in accordance with F.S. § 101.051.

Section 4: That Section 18-21 of Chapter 18 of Part I of the Code of

Ordinances is amended to read as follows:

Sec. 18-21. Voting machines.

- A. Voting machines shall be used in each city election unless otherwise directed by the City Commission. The machines shall be owned by the county and supplied by the Supervisor.
- B. The number of voting machines in each precinct for city elections shall be determined by the City Clerk. In making such determination, the City Clerk shall consider the traditional voting patterns and turnout in each precinct for a city election and furnish the number of machines necessary to handle efficiently the anticipated number of voters in that precinct. ~~The City Clerk also shall follow the requirements of F.S. § 101.33 in determining the number of voting machines to be used.~~
- C. The voting machines to be used in a city election shall be prepared by the Supervisor in accordance with Chapter 101 of the Florida Statutes and with the approval of the City Clerk.

Section 5: This Ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BELLEAIR BLUFFS, FLORIDA, THIS 17th DAY OF August, 2015.

ATTEST:

Mayor Chris Arbutine

Debra S. Sullivan, City Clerk

PASSED ON FIRST READING: July 20, 2015 Unanimously

PASSED ON SECOND READING: August 17, 2015 Unanimously