

## **ORDINANCE NO. 6-15**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES AT CHAPTER 2. ADMINISTRATION; ARTICLE V ELECTIONS. TO ADD AN ENTIRELY NEW SECTION 2-233. TO PROVIDE A MUNICIPAL ELECTION DATE, ELECTION QUALIFYING PERIOD, AND RUN-OFF ELECTION DATE FOR YEARS WHEN THE VILLAGE HOLDS ITS MUNICIPAL ELECTIONS CONCURRENTLY WITH PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS; DIRECTING THE VILLAGE CLERK TO TRANSMIT A CERTIFIED COPY OF THIS ORDINANCE TO THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. ADMINISTRATION. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, Article II, Section 2.01 of the Village Charter sets the date for the village election as the second Tuesday in March of each year; and

**WHEREAS**, Article II, Section 2.02 of the Village Charter and Article V, Section 2-271 of the Village Code set the dates for qualifying for village elections as noon on the last Tuesday in January until noon on the second Tuesday in February; and

**WHEREAS**, in 2016, the federal presidential preference primary election will fall on the third Tuesday of March; and

**WHEREAS**, in years of statewide or countywide presidential preference primary elections and beginning in 2016, the Village Council desires to move the village's election date to a date concurrent with the presidential preference primary elections; and

**WHEREAS**, holding the village's election on a date concurrent with the presidential preference primary election requires the village to adopt an ordinance that establishes a municipal election date, election qualifying period, and run-off election date for years when the village holds its municipal elections concurrent with the presidential preference primary election, and

**WHEREAS**, sections 100.3605, 101.75, and 166.021, *Florida Statutes*, permit the village to amend its code of ordinances to change the date of its village election and qualifying period by ordinance and without referendum, and

**WHEREAS**, the Village Council believes these amendments to the code of ordinances are in the best interests of the citizens of the Village of Tequesta.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, PALM BEACH COUNTY, FLORIDA: THAT**

**Section 1:** The foregoing facts and recitations contained in the preamble to this ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The Code of Ordinances of the Village of Tequesta, Florida, is hereby amended at Chapter 2. Administration; Article V. Elections, by adding a new section 2-233 to provide municipal election dates and qualifying periods for years with a presidential preference primary election; providing that Section 2-233 shall hereafter read as follows:

**Sec. 2-233. Village election dates, qualifying periods, and runoff election dates in years of statewide or countywide presidential preference primary elections.**

Section 101.75, Florida Statutes, delegates authority to the village to move the date and qualifying period of any village election to a date concurrent with other statewide or countywide elections. Notwithstanding the sections of the village charter and code of ordinances regarding the village election date, election qualifying period, and date of runoff election, the village shall hold its village election concurrently with any statewide or countywide presidential preference primary elections when those occur, and adhere to the following village election date, qualifying period, and date of runoff election in such instances:

- (a) Beginning in 2016, the village shall hold its municipal election concurrently with presidential preference primary elections.
  - (1) For municipal elections that occur in 2016, the municipal qualifying period shall begin at noon, November 23, 2015 and end at noon, December 7, 2015.
  - (2) The 2016 municipal election shall occur on March 15, 2016 and no candidate may take office until the election has concluded.
  - (3) If candidates for any office in 2016 receive the highest and equal numbers of votes cast, the names of the tied candidates shall be placed on a ballot and voted on at a runoff election on March 29, 2016.
- (b) When a presidential preference primary election occurs in future years, the village shall set a concurrent election date, qualifying period, and date of run-off election by separate ordinance.

**Secs. 2-234 2-233– 2-250. Reserved.**

**Section 3:** The village clerk is hereby directed to transmit a certified copy of this ordinance to the Palm Beach County Supervisor of Elections.

**Section 4:** Each and every other section and subsection of Chapter 2. Administration, shall remain in full force and effect as previously adopted.

**Section 5:** All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

**Section 6:** Should any section or provision of this ordinance, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

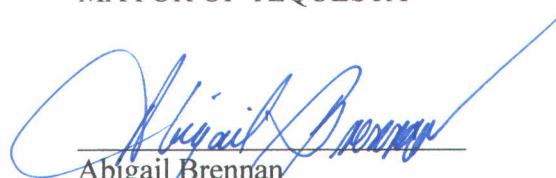
**Section 7:** Specific authority is granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Village of Tequesta, Florida.

**Section 8:** This ordinance shall take effect immediately upon adoption.


<b>ORDINANCE</b>		
6-15		
Upon Second Reading		
<b>MOTION</b> Council Member D'Ambra	<b>SECOND</b> Council Member Okun	
<b>VOTE</b>		
	<b>FOR ADOPTION</b>	<b>AGAINST ADOPTION</b>
Mayor Abby Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-Mayor Vince Arena	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Steve Okun	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Tom Paterno	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Frank D'Ambra	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared the Ordinance duly passed and adopted this 06-11-2015

MAYOR OF TEQUESTA

  
 Abigail Brennan

ATTEST:

  
 Lori McWilliams, MMC  
 Village Clerk

