

## **ORDINANCE NO. 251**

**AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS; CREATING NEW SECTION 21 ENTITLED "2024 MUNICIPAL ELECTION DATE," NEW SECTION 22 ENTITLED "QUALIFYING PERIOD FOR 2024 ELECTION DATE" AND NEW SECTION 23 ENTITLED "BEGINNING DATE FOR TERM OF OFFICE"; ESTABLISHING MARCH 19, 2024 AS THE MUNICIPAL ELECTION DATE FOR 2024; ESTABLISHING THE QUALIFYING PERIOD FOR THE 2024 MUNICIPAL ELECTION; ESTABLISHING THE BEGINNING DATE FOR THE TERM OF OFFICE; PROVIDING FOR AUTHORITY; PROVIDING LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A PURPOSE; PROVIDING FOR CREATION OF SECTION 21, 2024 MUNICIPAL ELECTION DATE, SECTION 22, QUALIFYING PERIOD FOR 2024 ELECTION DATE AND SECTION 23 BEGINNING DATE FOR TERM OF OFFICE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA ("TOWN"), AS FOLLOWS:**

### **SECTION 1: AUTHORITY.**

The authority for the enactment of this Ordinance is §§101.75, 166.021 and 166.041, *Florida Statutes*, and other applicable Florida law.

### **SECTION 2: LEGISLATIVE FINDINGS AND INTENT.**

**WHEREAS**, this Ordinance amends Subpart B, Related Laws, Article II, Elections, of the Town of Cinco Bayou Code of Ordinances, by creating new Section 21, 2024 Municipal Election date to establish March 19, 2024 as the municipal election date for 2024; new Section 22 Qualifying Period for 2024 Election Date to establish the Qualifying Period for the 2024 Election Date to commence at noon on Monday, January 8, 2024 and terminate at noon on Friday, January 12, 2024; and new Section 23 Beginning Date for Term of Office, to establish the term of office for those persons elected in the Town's 2024 Municipal Election to begin on April 1, 2024; and

**WHEREAS**, the Florida Legislature has enacted Legislation establishing March 19, 2024 as the presidential preference primary date for Florida for the 2024 year; and

**WHEREAS**, the Town Council believes that having the Town municipal elections on the same date as the Florida presidential preference primary will reduce the expenses of the election; and

**WHEREAS**, the Town Council wishes to reduce expenses for the Town wherever feasible;  
and

**WHEREAS**, due to the uncertainty of future dates, the Town Council does not wish to change future election dates at this time; and

**WHEREAS**, the Town Council wishes to establish the qualifying period for the 2024 Municipal Election to conform with Florida Statutes and other elections being held in Okaloosa County, and

**WHEREAS**, pursuant to Subpart B, Related Laws, Article II, Elections, Section 5, the term of office of persons duly elected to the Town Council in the Town's municipal elections shall take office within thirty (30) days after the election with the specific date to be declared by local ordinance; and

**WHEREAS**, the term of office for those persons elected in the 2024 Municipal Election shall begin on April 1, 2024; and

**WHEREAS**, public hearings have been conducted regarding this ordinance by the Town Council after due public notice; and

**WHEREAS**, the Town Council has determined that this ordinance is in the best interests of the Town and its citizens.

### **SECTION 3: PURPOSE.**

The purpose of this Ordinance is to establish March 19, 2024 as the municipal election date for 2024, to establish the qualifying period for the 2024 elections, and to establish the beginning date for the term of office for those persons elected in the Town's 2024 Municipal Election. The Florida Legislature has established March 19, 2024 as the presidential preference primary date for 2024. Currently, the municipal elections for the Town are held on the second Tuesday in March. By establishing March 19, 2024 as the municipal election date for 2024, the Town of Cinco Bayou will reduce election expenses for the Town by having one combined election on March 19, 2024. The Town of Cinco Bayou is uncertain about the change in dates for future elections and does not desire to address any election year other than 2024. The Ordinance will also establish the qualifying period for the Town's 2024 Municipal Election to commence at noon on Monday January 8, 2024 and terminate at noon on Friday January 12, 2024 to conform to Florida Statutes and other elections being held in Okaloosa County and will establish the beginning date for the term of office, for those persons elected in the Town's 2024 Municipal Election, to begin on April 1, 2024. The additional Sections are set forth herein.



**SECTION 4: AMENDMENT TO SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES, CREATING NEW SECTION 21 ENTITLED “2024 MUNICIPAL ELECTION DATE.”**

SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 21 “2024 Municipal Election Date” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

**Section 21. 2024 Municipal Election Date.**

The 2024 Municipal Election shall be held on March 19, 2024 notwithstanding any provisions of the Town of Cinco Bayou Code of Ordinances to the contrary.

**SECTION 5: AMENDMENT TO SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES, CREATING NEW SECTION 22 ENTITLED “QUALIFYING PERIOD FOR 2024 ELECTION DATE.”**

SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 22 “Qualifying Period for 2024 Election Date” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

**Section 22. Qualifying Period for 2024 Election Date.**

The Qualifying Period for the 2024 Municipal Election shall commence at noon on Monday, January 8, 2024 and shall terminate at noon on Friday, January 12, 2024.

**SECTION 6: AMENDMENT TO SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES, CREATING SECTION NEW 23 ENTITLED “BEGINNING DATE FOR TERM OF OFFICE.”**

SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 23 “Beginning Date for Term of Office” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

**Section 23. Beginning Date for Term of Office.**

The Beginning Date for the Term of Office of those persons elected in the 2024 Municipal Election shall be on April 1, 2024.

**SECTION 7: INCORPORATION INTO CODE OF ORDINANCES.**

This ordinance shall be incorporated into the Town of Cinco Bayou Code of Ordinances and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

**SECTION 8: SEVERABILITY.**

If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 9: EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its final passage and adoption by the Town Council and signature of the Mayor.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF CINCO BAYOU, FLORIDA ON THIS 14TH DAY OF SEPTEMBER 2024.**

**ATTEST:**

**THE TOWN OF CINCO BAYOU,  
FLORIDA**

By: \_\_\_\_\_

Keith Williams, Town Manager/Clerk

By: \_\_\_\_\_

Jean Hood, Mayor

**The form and legal sufficiency of the foregoing  
has been approved by the Town Attorney.**

By: \_\_\_\_\_

C. Jeffrey McInnis, Town Attorney

