

ORDINANCE NO. 246

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, AMENDING SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES; CREATING NEW SECTION 18 ENTITLED "2020 MUNICIPAL ELECTION DATE", SECTION 19 ENTITLED "QUALIFYING PERIOD FOR 2020 ELECTION DATE", AND SECTION 20 ENTITLED "BEGINNING DATE FOR TERM OF OFFICE"; ESTABLISHING MARCH 17, 2020 AS THE MUNICIPAL ELECTION DATE FOR 2020; ESTABLISHING THE QUALIFYING PERIOD FOR THE 2020 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 NEW SECTION 18, 2020 MUNICIPAL ELECTION DATE, SECTION 19, QUALIFYING PERIOD FOR 2020 ELECTION DATE AND SECTION 20 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 Sections 166.021 and 166.041, Florida Statutes and Section 101.75, 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 18, 2020 Municipal Election date to establish March 17, 2020 as the municipal election date for 2020; new Section 19, Qualifying Period for 2020 Election Date to establish the Qualifying Period for the 2020 municipal election to commence at noon on Monday, January 6, 2020 and terminate at noon January 10, 2020; and new Section 20, Beginning Date for Term of Office, to establish the term of office for those persons elected in the 2020 municipal elections to begin on April 1, 2020; and,

WHEREAS, the Florida Legislature has enacted Legislation establishing, March 17, 2020 as the presidential preference primary date for Florida for the 2020 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 2020 municipal elections to conform with Florida Statutes and other elections being held in Okaloosa County, and,

WHEREAS, pursuant to Section 18-4 of the Town Code of Ordinances the term of office for these persons elected in the 2020 municipal elections will begin on April 1, 2020, 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 the Ordinance is to establish March 17, 2020 as the municipal election date for 2020, to establish the qualifying period for the 2020 municipal elections, and to establish the beginning date for the term of office for those persons elected in the 2020 municipal election. The Florida Legislature has established March 17, 2020 as the presidential preference primary date for 2020. Currently, the municipal elections for the Town are held on the second Tuesday in March. By establishing March 17, 2020 as the municipal election date for 2020, the Town of Cinco Bayou will reduce election expenses for the Town by having one combined election on March 17, 2020. 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 2020. The Ordinance will also establish the qualifying period for the 2020 municipal elections to commence at noon on Monday January 6, 2020 and terminate at noon on January 10, 2020 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 2020 municipal elections, to begin on April 1, 2020. 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 SECTION 18 ENTITLED “2020 MUNICIPAL ELECTION DATE”.

Subpart B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 18, “2020 Municipal Election Date” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

Section 18. 2020 Election Date.

The 2020 municipal election shall be held on March 17, 2020, 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 SECTION 19 ENTITLED “QUALIFYING PERIOD FOR 2020 ELECTION DATE”.

Subpart B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 19 “Qualifying Period for 2020 Election Date” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

Section 19. Qualifying Period for 2020 Election Date.

The qualifying period for the 2020 municipal election shall commence at noon on Monday, January 6, 2020 and shall terminate at noon on January 10, 2020.

SECTION 6: AMENDMENT TO SUBPART B, RELATED LAWS, ARTICLE II, ELECTIONS OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES, CREATING SECTION 20 ENTITLED “BEGINNING DATE FOR TERM OF OFFICE”.

Subpart B, RELATED LAWS, ARTICLE II, ELECTIONS, Section 20 “Beginning Date for Term of Office” of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby added to read as follows:

Section 20. Beginning Date for Term of Office.

The term of office for those persons elected in the 2020 municipal elections shall begin on April 1, 2020.

SECTION 7: INCORPORATION INTO CODE OF ORDINANCES.

This ordinance shall be incorporated into the Town of Cinco Bayou’s 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.

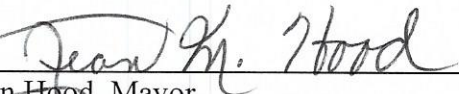
This Ordinance shall take effect immediately upon its final passage and adoption by the Town Council and signature of the Mayor.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF CINCO BAYOU, FLORIDA ON THIS 23RD DAY OF DECEMBER 2019.

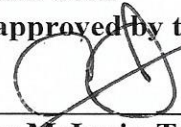
ATTEST:

THE TOWN OF CINCO BAYOU, FLORIDA

By: 
Keith Williams, Town Manager/Clerk

By: 
Jean Hood, Mayor

First Reading: 12/12/2019
Second Reading: 12/23/2019
The form and legal sufficiency of the foregoing has been reviewed and approved by the Town Attorney.

By: 
C. Jeffrey McInnis, Town Attorney

