

ORDINANCE #225

AN ORDINANCE WHICH AMENDS ORDINANCE #142 AND ORDINANCE #208 RELATING TO THE NOMINATION AND QUALIFICATIONS OF CANDIDATES FOR OFFICE IN THE CITY OF BONIFAY, FLORIDA, AND RELATING TO HOLDING OF ELECTIONS AND CANVASS OF ELECTIONS RETURNS:

Any qualified elector of the city may be nominated for city council or mayor's office by petition. A petition for this purpose shall be signed by not less than five qualified electors. Each petition shall designate the office for which the candidate is nominated. The signatures of the nominating petition need not all be subscribed to one paper, but to each separate paper there shall be attached a signed statement of the circulator thereof, stating the number of signers of each paper, and that each signature appended thereto was made in his presence, and is the genuine signature of the person whose name it purports to be. The form of the nominating petition shall be substantially as follows:

We, the undersigned whose resident is _____, for the office of _____, to be voted for at the election to be held on the ____ day of _____, 19 ____; and we individually certify that our names appear on the polls of registered voters; and that we are qualified to vote for a candidate for said office.

<u>NAME</u>	<u>ADDRESS</u>	<u>ADDRESS FROM WHICH LAST DATE REGISTERED (if different) SIGNING</u>
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(Spaces for Signatures and Required Date)

STATEMENT OF CIRCULATOR

The undersigned is the circulator of the foregoing paper containing _____ signatures. Each signature appended thereto was made in my presence and is the genuine signature of the person name it purports to be.

Signature of Circulator

Address

QUALIFYING TIME

Qualifying shall begin on first Monday of March and continue

until 12:00 Noon on second Monday of March. Any signature made earlier than the first Monday of March preceeding the election shall be void. All nomination papers comprising a petition shall be filed as one instrument with the city clerk, not later than 12:00 Noon on the second Monday of March before the election. The city clerk shall make a record of the exact time at which each petition is filed. No nominating petition shall be accepted unless accompanied by a signed acceptance of the nomination in substantially the following form:

ACCEPTANCE NOMINATION

I hereby accept the nomination for _____
and agree to serve if elected.

There shall be a City Mayor and City Council of five (5) members.

The regular election of city councilmen and mayor shall be held on the fourth Tuesday of March.

Multiple Candidates: When more than two (2) persons qualify as candidates in the Office of City Council, or for the office of Mayor, the candidates receiving the greatest number of votes shall be declared elected. In the event of a tie between two high candidates for any city office another election shall be held on the following Tuesday and two candidates receiving the equal votes shall be the only candidates on the ballot for such election, unless one such candidate shall withdraw from said election in which event the other candidate shall be deemed elected.

In the event there are not more candidates than council position(s) for the city council or not two or more for the office of Mayor to be filled at an election, those officers or mayor's office shall not be listed on the regular city election ballot. Each such candidate is deemed to have voted for himself.

Elections governed by State Law or Ordinances: Except as herein specifically provided, all elections in the city shall be conducted substantially on the principles governing state elections, or as the council shall by ordinance prescribe.

Elections Canvass or Returns: The polls shall be opened at seven o'clock A.M. and shall close at seven o'clock P.M. The result of the voting, when ascertained, shall be certified by return in duplicate, signed by the clerk and all of the inspectors and the other shall be transmitted to the office of the city clerk who shall transmit such

returns to the city council at its next regular meeting thereafter. At such meeting the city council shall canvas the returns and the results as shown by such returns shall be by the city council declared as the result of the election.

Date of Election and Terms of Office: The regular city election will be held on the fourth Tuesday of March of each year. On even numbered years two (2) councilmen and mayor shall be elected. On odd numbered years three (3) councilmen will be elected. The term of office is two (2) years.

Absentee Ballots: An absent elector may request from the City Clerk or his deputy an absentee ballot during the one-year period preceding an election. The clerk may accept a request for an absentee ballot for an elector from any person designated by such elector. Such request may be made in person, by mail, or by telephone. One request shall be deemed sufficient to receive an absentee ballot for each election which is held within such one-year period, provided the elector or his d-signee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot.

If a request for an absentee ballot is received after the Friday before the election, by the city clerk from an absent elector overseas, the supervisor shall send a notice to the elector overseas, the clerk shall send a notice to the elector acknowledging receipt of his request and notifying the elector that the ballot will not be forwarded due to insufficient time for return of the ballot by the required deadline.

For each request for an absentee ballot received, the clerk shall record the date the request was made, the date the absentee ballot was delivered or mailed, the date the ballot was received by the clerk, and such other information he may deem necessary.

As soon as the absentee ballots are printed, the city clerk shall deliver or mail an absentee ballot to each elector for whom a request for such ballot has been made. Any elector, however, may designate in writing a person to pick up the ballot for him. Upon presentation of such written authorization by such designee in person, the city clerk may give the ballot to such designee for delivery to the elector. The clerk shall initial the stub attached to the absentee

ballot and enter the name of the elector in the place indicated for the elector to sign. The clerk shall then detach the ballot from the stub and mail or deliver the ballot. Before mailing or delivering the ballot, the clerk shall fill in the number of the precinct in which the voter is registered in the space provided for this purpose on the envelope. If an elector appears in person to cast an absentee ballot, the elector shall sign the stub, and the clerk shall then detach the ballot from the stub and deliver the ballot to the elector.

No campaign literature shall be mailed or delivered with any absentee ballot.

The elector must be a resident of the city and meet all qualifications and requirements of general law.

That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

That this ordinance shall take effect and be in force immediately.

Passed and approved by the City Council on the 25th day of November, 1985.

CITY OF BONIFAY

By: [Signature]
President

Approved this 25th day of November, 1985.

By: [Signature]
Mayor

ATTEST:

[Signature]
SEAL