

ORDINANCE NO. 05-2021

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 5 ELECTIONS, SECTION 5-3. *CONDUCT OF ELECTIONS; FILING DATES* OF THE CODE OF ORDINANCES OF THE TOWN OF JUPITER INLET COLONY, FLORIDA IN ORDER TO AMEND THE DATES FOR QUALIFICATION FOR OFFICE FOR CANDIDATES FOR TOWN COMMISSION; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, in order to accommodate newly enacted statutory vote-by-mail requirements, the Palm Beach County Supervisor of Elections has requested that all municipalities in Palm Beach County amend their qualifying periods for elected office to end no less than ninety-five (95) days before Election Day; and

WHEREAS, the Town Commission is hereby amending Section 5-3 of its Code of Ordinances in order to comply with this request.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 5. ELECTIONS, Section 5-3. *Conduct of elections; filing dates* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended to read as follows:

Sec. 5-3. Conduct of elections; filing dates.

- (a) Commencing in 2017, and each year thereafter, annual Town elections shall be held on the 2nd Tuesday in March; provided, however, that commencing in 2016, the annual Town election shall be held on the 3rd Tuesday in March and every four (4) years thereafter, in each presidential election year, the annual Town election shall be held on the 3rd Tuesday in March, which is the date of the Florida Presidential Preference Primary.
- (b) Candidates for Town Office shall file such papers and pay such fees as may be required by law with the Town Clerk no earlier than noon on the 4th 2nd Tuesday in November nor later than noon on 2nd last Tuesday in ~~December~~ November of the calendar year previous to which the election is to be held.
- (c) In the event three (3) or more candidates file and qualify for a particular group, then the election date(s) specified in subsection (a) above shall be considered the primary election as specified in Article III, Section 7 of the Town Charter. In such event, if any candidate receives a majority of votes cast for such office such candidate shall be deemed to be elected to office and no general election shall be required. If no candidate receives a majority of votes cast for such office, a general (run-off) election shall be conducted two (2) weeks after the primary

election for the two (2) candidates receiving the highest number of votes cast for each respective office.

SECTION 2. Specific authority is hereby granted to codify and incorporate this Ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony, Florida.

SECTION 3. That all Ordinances or parts or Ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING this ____ day of _____, 2021.

SECOND READING and FINAL PASSAGE this ____ day of _____, 2021.

TOWN OF JUPITER INLET COLONY, FLORIDA

Mayor-Daniel J. Comerford, III

Vice-Mayor Milton J. Block

Commissioner Lisa H. Hines

ATTEST:

Commissioner Cynthia Keim

Town Clerk

Commissioner Richard D. Busto