

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 22, ELECTIONS, SECTION 22.2. CANDIDATE QUALIFICATIONS PERIOD, TO REFLECT CHANGES MADE BY THE ELECTORS IN THE NOVEMBER 2020 ELECTION; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Charter amendments were placed on the ballot of the November 3, 2020 election to modify several sections of the Charter; and

WHEREAS, all the amendments as presented were approved by the electors; and

WHEREAS, one of those changes includes language that is mirrored in Chapter 22. Elections, covering the signatures needed for the petition to be added to the ballot; and

WHEREAS, a code amendment is needed to correct the discrepancy created by the approval of the charter amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Melbourne, Brevard County, Florida, that:

Section 1. Chapter 22 – Elections, Section 22-2. – Candidate qualifications period, of the Code of Ordinances of the City of West Melbourne, Florida, is hereby amended as follows:

Sec. 22-2. - Candidate qualifications period.

- (a) Any registered voter of the city who has resided in the city for one year immediately prior to the date of qualification for office may qualify as a candidate for any elective office of the city by presenting his nominating petition signed by 75 qualified voters ~~as certified for the last general election~~, together with a qualifying fee of \$25.00, to the city clerk no sooner than 12:00 noon on the 96th day, nor later than 12:00 noon of the 82nd day before any regular election date. Under extenuating circumstances, (e.g., declaration of emergency), the city clerk may extend the qualifying period.

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Section 2. Severability. The provisions of this ordinance are declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held by a court of competent jurisdiction to be invalid or unenforceable, such decision shall not affect the validity of the remaining terms, provisions, clauses, sentences,

In interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken~~ words indicate deletions from existing text. Asterisks (* * *) indicate a deletion from the ordinance of text existing in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to adoption of this ordinance.

or sections of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 3. Conflict with Other Ordinances. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

Section 4. Effective Date. This ordinance shall become effective immediately upon its adoption by the City Council on second reading.

PASSED AND ADOPTED by the City Council of the City of West Melbourne, Brevard County, Florida, this 16th day of February, 2021.

1ST READING: February 2, 2021

2ND READING: February 16, 2021