

## ORDINANCE NO. 2021-05

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING CHAPTER 10, "ELECTIONS," ARTICLE I, "IN GENERAL," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 10-5, "CANDIDATES FOR OFFICE; QUALIFYING," TO AMEND THE QUALIFYING DATES FOR THE VILLAGE'S GENERAL ELECTION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 10-5 of the Village Code currently establishes a candidate qualifying period for the Village's general election during regular hours on the first seven business days in January immediately preceding the election; and

WHEREAS, the Palm Beach County Supervisor of Elections has requested that all municipalities within the County move up their qualifying period to provide sufficient time for the Supervisor to prepare the ballots for voting by mail; and

WHEREAS, the Village Council wishes to amend the Village's qualifying period at the request of the Supervisor of Elections and determines that the adoption of this Ordinance is in the best interests of the health, safety and welfare of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

Section 2. The Village Council hereby amends Chapter 10, "Elections," Article I, "In General," of the Village Code of Ordinances as follows (additional language is underlined and deleted language is ~~stricken through~~):

### ARTICLE I. IN GENERAL

\* \* \*

#### **Sec. 10-5. Candidates for office; qualifying.**

(a) Any qualified elector within the village may become a candidate for any office to be filled at any general election by paying to the village clerk a qualifying fee in the sum of ten dollars (\$10.00) and by filing with the village clerk during regular hours on the first seven (7) business days in ~~January~~ December immediately preceding the general election a written notice that he or she intends to be a candidate at such general election. All paperwork must be complete and submitted to the village clerk by 5:00 p.m. on the last day of the qualifying period. Any qualified elector may become a candidate for any office to be filled at any special election by paying to the village clerk a qualifying fee in the sum of ten dollars (\$10.00) and by filing with the village clerk, during the ten (10) days ending three (3) weeks before the special election, a written notice that he or she intends to be a candidate at such election. Such

written notice shall state the number of the group in which the candidate seeks to be elected, his place of residence, his age and a description of his residence in the village. Such notice shall also request that the name of the candidate be placed upon the ballot to be prepared for such election, and, in addition, shall be signed by such candidate. The village clerk shall supply the names of all candidates and offices to be filled to the Palm Beach County Supervisor of Elections by delivery to that office prior to 5:00 p.m. on the Friday after the close of qualifying.

(b) If at any time within seventy-two (72) hours prior to the deadline for the qualifying of candidates as set forth in subsection (a) above, all persons who have qualified for any one (1) office in an election have had their names withdrawn from candidacy for any reason, then the deadline for qualification of candidates for that particular office shall be automatically extended by one (1) week. The village clerk shall cause to be published at the earliest possible date, in a newspaper of general circulation in the village, a notice of such extension of time for qualifying for such office. In addition, such notice shall be given by posting a copy thereof in at least three (3) public and conspicuous places in the village, one (1) of which shall be the bulletin board in the village hall.

Section 3. The provisions of this Ordinance shall become and be made a part of the Code of the Village of North Palm Beach, Florida.

Section 4. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. All ordinances or parts of ordinances and resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall take effect immediately upon adoption.

PLACED ON FIRST READING THIS 11<sup>TH</sup> DAY OF MARCH, 2021.

PLACED ON SECOND, FINAL READING AND PASSED THIS 25<sup>TH</sup> DAY OF MARCH, 2021.

(Village Seal)

  
MAYOR

ATTEST:

  
VILLAGE CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
VILLAGE ATTORNEY