

FIRST READING _____
SECOND READING _____
EFFECTIVE DATE _____
ADVERTISEMENT _____

ORDINANCE NO. 2020-267

AN ORDINANCE OF THE TOWN OF GREENVILLE, FLORIDA; AMENDING SECTION 2-90; PROVIDING FOR PRIMARY ELECTION DATES IN ODD-NUMBERED YEARS; CREATING SECTION 2-92; ESTABLISHING DATES AND PROCEDURES FOR CANDIDATE QUALIFYING; RENUMBERING SECTION 2-92; RENUMBERING SECTION 2-93; PROVIDING FOR SEVERABILITY; LEGISLATIVE INTENT TO APPLY RETROACTIVELY; AND PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, FLORIDA, that:**

Section 1. Section 2-90 in the Code of General Ordinances is hereby amended and shall read as follows:

Sec. 2-90. - Election date.

- (a) The regular election of the town council shall be held on the first Tuesday after the first Monday in November of each election year. Beginning after the 2020 election, the municipal primary election for the nomination of town council, if necessary, shall be held on the same date as the state's primary election.
- (b) In odd-numbered years, the municipal primary election shall be held on the Tuesday eleven weeks before the general election.

Section 2. Section 2-92 is hereby created in the Code of General Ordinances and shall read as follows:

- (a) In even-numbered years, the dates of qualifying shall be held on the same dates as mandated by state law for legislative, county, and district elections. The town council may direct the Town Clerk to contract with the county supervisor of elections to carry out this function on behalf of the town.

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- (b) In odd-numbered years, the dates of qualifying shall be held between 30 and 90 days prior to the primary election. The town council may direct the Town Clerk to contract with the county supervisor of elections to carry out this function on behalf of the town.

Section 3. Section 2-92 in the Code of General Ordinances is hereby renumbered and shall read as follows:

Sec. 2-93. ~~Sec. 2-92.~~ - Primary election and unopposed candidates.

- (a) If more than two persons qualify as candidates as provided for in section 2-91 for any of the offices to be filled, then a municipal primary election shall be held. The candidate who receives a majority of votes in such municipal primary election in a respective group shall be elected to such vacancy. If no candidate receives a majority vote in such primary election in a respective group, then the two candidates who receive the greatest vote in such primary election in their respective group shall be on the following regular municipal election for such vacancy.
- (b) If two persons qualify as candidates as provided for in section 2-91 for any of the offices to be filled, then a municipal primary election shall not be held, and the candidates shall be placed upon the municipal general election.
- (c) The name of an unopposed candidate for town council shall not appear on the general election ballot and such nominee shall be deemed to have voted for himself/herself at the general election and shall be declared to be the winner. The town clerk shall, at the reorganization meeting, furnish a certificate of election to each person shown to have been elected.
- (d) In the event of the death, withdrawal, or removal of all of the qualified candidates, or all of the qualified candidates except for one candidate, qualification for the vacancy shall be reopened. The supplemental qualification period shall commence at noon on the day following the day that the vacancy in candidacy occurs under the terms of this section, and such period shall continue until noon on the fourth business day following the opening of such period. A candidate who was a qualified candidate at the beginning of the supplemental qualified period shall not be required to requalify during such period.

Section 4. Section 2-93 in the Code of General Ordinances is hereby renumbered and shall read as follows:

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Sec. 2-94. Sec. 2-93. - Canvassing board and certificate of election.

- (a) The county canvassing board shall canvass the returns for all municipal elections which are held concurrent with state or federal elections and shall present to the town clerk a certified copy of the results.
- (b) The charter officers shall be the canvassing board for municipal elections which are not held concurrent with state or federal elections and shall meet on the day of the election to canvass the returns and the results as shown by the returns shall be by the canvassing board declared as the result of the election. The town clerk shall furnish a certificate of election at the time of the town council reorganization meeting to each person shown to have been elected.

Section 5. 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 to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Repeal of conflicting ordinances. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Legislative Intent. The Town Council of the Town of Greenville, Florida, intends for this Ordinance to apply retroactively to the date of the effective date in section 8.

Section 8. Effective Date. This Ordinance shall be applied retroactively to 12:00 a.m. on July 12, 2021.

Following the second reading of the foregoing, the Honorable \_\_\_\_\_ moved that the foregoing ordinance as amended be adopted. The Honorable \_\_\_\_\_ seconded the motion for its adoption.

The Honorable \_\_\_\_\_ put the question to a roll call vote, and the result was as follows:

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Hon. Brittni Brown, Councilmember Voted: \_\_\_\_\_  
Hon. Bobby Burnett, Councilmember Voted: \_\_\_\_\_  
Hon. Barbara Dansey, Councilmember Voted: \_\_\_\_\_  
Hon. Kathleen Hamilton, Councilmember Voted: \_\_\_\_\_  
Hon. Brandi Tillman, Councilmember Voted: \_\_\_\_\_

PASSED AND ADOPTED by the Town Council of the Town of Greenville, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

APPROVED:

\_\_\_\_\_  
HON. BRITTNI BROWN  
Mayor/Councilmember

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
LEE N. JONES, JR.  
Town CEO/CFO

\_\_\_\_\_  
JOHN LAURANCE REID  
Town Attorney

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