
Sec. 2-23. City Commission candidates—Residency.

- (a) Each candidate shall, just prior to qualifying as candidate for the City Commission and before the City Clerk, subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the City Clerk and shall be in substantially the following form:

STATE OF FLORIDA COUNTY OF BROWARD

Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot), to me well known, who, being sworn, says they are a candidate for the office of City Commissioner for District of Cooper City, Florida and that they have resided continuously in District in the City of Cooper City for six months immediately prior to the taking of this oath.

- (b) In addition to taking that oath set forth above, each candidate for the City Commission shall present to the Clerk at the time of qualifying, at least three of the following documents or photocopies of said documents:
- (1) A currently valid Florida driver's license setting forth that the candidate resides in the appropriate district in Cooper City.
 - (2) A currently valid voter registration card setting forth that the candidate resides in the appropriate district in Cooper City.
 - (3) A current written lease setting forth that the candidate resides in the appropriate district in Cooper City.
 - (4) A current property tax bill from the Broward County Property Appraiser's office setting forth that the candidate resides in the appropriate district in Cooper City.
 - (5) A bill not more than six months old for water, sewer or electric utilities reflecting that the candidate resides in the appropriate district in Cooper City.
- (c) References to districts in subsections (a) and (b) above shall not apply to persons filing to qualify as candidates for Mayor.
- (d) The City Clerk shall qualify no candidate who fails to subscribe or affirm in writing to that oath set forth above and/or fails to present at least three of those documents set forth in subsection (b) above.
- (e) Upon a candidate's taking that oath set forth in subsection (a) above, and upon submission of those documents required by subsection (b) above, the City Clerk shall, based upon reasonable suspicion, bring an action on behalf of the City for declaratory relief in a court of appropriate jurisdiction in order to determine whether a candidate has been a City resident, in the appropriate district, where applicable, for six months immediately prior to seeking qualification.

In considering whether there is a reasonable suspicion as to a candidate's residence, the Clerk shall consider solely the following:

- (1) The facial consistency of documents submitted in compliance with subsection (b) above; or
 - (2) Sworn affidavits submitted to the Clerk setting forth facts tending to show that a candidate has not been a resident for six months immediately prior to qualifying; or
 - (3) Verifiable documents setting forth facts tending to show that a candidate has not been a resident for six months prior to qualifying.
- (f) Should it be determined by a court of appropriate jurisdiction prior to election that a candidate was not truthful when taking that oath set forth above, then said candidate's name shall be struck from the ballot.
- (g) Should it be determined after election that a City Commissioner was not truthful when taking that oath set forth above, then said candidate shall immediately cease to be qualified to hold the office of Commissioner.

(Ord. No. 87-6-1, § 1, 6-9-87; Ord. No. 95-8-2, § 1, 8-8-95)

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