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ORDINANCE 2024-12 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE II “ELECTIONS,” SECTION 2-15 “OATHS REQUIRED OF CANDIDATE,” TO CLARIFY THE REQUIREMENTS TO QUALIFY FOR ELECTION; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

WHEREAS, the City of Lake Worth Beach, Florida (the “City”) is a duly constituted municipality having such home rule power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City Commission desires to clarify Section 2-15 of the City’s Code of Ordinances, which generally requires that candidates for elected office within the City sign an oath that they qualify for office to specifically include language regarding such qualification; and

WHEREAS, the City Commission finds and declares that this Ordinance is appropriate and is in the best interest of the health, safety, and welfare of the City, its residents, and visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: The foregoing “WHEREAS” clauses are incorporated into this Ordinance as true and correct findings of the City Commission.

Section 2: Chapter 2 “Administration,” Article II “Elections,” section 2-15 “Oaths required of candidate,” is hereby amended as follows (deletions in ~~striketrough~~ text and additions in underline text):

Section 2-15. – Oaths required of candidate.

At the time any person shall seek to qualify as a candidate for any elective office of the city he/she/they shall provide two (2) of the documents listed on the Oath of Candidate and then ~~first~~ take and subscribe the following oath:

OATH OF CANDIDATE

State of Florida
County of Palm Beach

Before me, an officer authorized to administer oaths, personally appeared

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT)
name may not be changed after the end of qualifying

who, being sworn, says that he/she/they is a candidate for office of _____; that he/she/they is a qualified elector of Palm Beach County, Florida; that he/she/they is qualified under the Charter of the City of Lake Worth Beach and the Constitution and laws of Florida to hold the office to which he/she/they desires to be nominated or elected as he/she/they has for

54 a period of at least six (6) months immediately preceding the first day of qualifying for such
55 office established a fixed habitation or primary abode at the address below which is in District
56 _____ within the City of Lake Worth Beach and he/she/they intends to reside at that address
57 indefinitely; that he/she/they has not violated any of the laws of the State relating to elections
58 or the registration of electors; that he/she/they has qualified for no other public office in the
59 state, the term of which office or any part thereof runs concurrent to the office he/she/they seeks;
60 that he/she/they has resigned from any office from which he/she/they is required to resign
61 pursuant to section 99.012, Florida Statutes, and section 2-21, City of Lake Worth Beach Code
62 of Ordinances.

63
64 The Candidate has provided two (2) of the following documents showing the current residential
65 address: driver's license or passport, vehicle registration, utility bill not more than one (1) month
66 old, mortgage statement or lease.

67
68 _____
69 Signature of Candidate
70

71
72 _____
73 Street Address City State Zip_code

74
75
76 Candidate's Florida Voter Registration Number (located on your voter information card) _____
77

78
79 Please print name phonetically on the line below as you wish it to be pronounced on the audio
80 ballot for persons with disabilities
81

82 _____
83

84
85 _____
86 Signature of Candidate
87

88
89 The above Oath of Candidate is sworn to (or affirmed) and subscribed before me by means of
90 physical presence this _____ day of _____, 20____, at Palm Beach County,
91 Florida.
92

93 Personally Known: _____ or
94 Produced Identification: _____
95 Type of Identification Produced: _____
96

97
98 _____
99 Signature of Notary Public-State of Florida
100 Print, Type or Stamp Commissioned Name of Notary Public
101

102
103 **Section 3:** Severability. If any section, subsection, sentence, clause, phrase or portion
104 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
105 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
106 such holding shall not affect the validity of the remaining portions thereof.

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Section 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by Commissioner Diaz, seconded by Vice Mayor Malega, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch	AYE
Vice Mayor Sarah Malega	AYE
Commissioner Christopher McVoy	AYE
Commissioner Mimi May	AYE
Commissioner Reinaldo Diaz	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 20th day of August, 2024.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2024.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk