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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 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 a period of at least six (6) months immediately preceding the first day of qualifying for such

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

62 _____
63
64
65 Signature of Candidate
66
67
68

69 Street Address City State Zipcode
70
71

72 Candidate's Florida Voter Registration Number (located on your voter information card) _____
73
74

75 Please print name phonetically on the line below as you wish it to be pronounced on the audio
76 ballot for persons with disabilities
77
78
79 _____
80

81
82 The above Oath of Candidate is sworn to (or affirmed) and subscribed before me by means of
83 physical presence this _____ day of _____, 20____, at Palm Beach County,
84 Florida.

85
86 Personally Known: _____ or
87 Produced Identification: _____
88 Type of Identification Produced: _____
89
90
91

92 _____
93 Signature of Notary Public-State of Florida
94 Print, Type or Stamp Commissioned Name of Notary Public
95

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

100
101 **Section 4:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
102 herewith are hereby repealed to the extent of such conflict.
103

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

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

The passage of this ordinance on first 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 first reading on the _____ day of _____, 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