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1 **ORDINANCE NO. 2023-05** 2 3 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, 4 FLORIDA, ESTABLISHING OUALIFYING DATES FOR THE MARCH 2024 5 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE 6 DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF 7 ELECTIONS; PROVIDING FOR A CHANGE IN DATE OF THE CITY'S 8 MARCH 2024 GENERAL MUNICIPAL ELECTION; PROVIDING FOR 9 CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN 10 EFFECTIVE DATE 11 12 13 **WHEREAS**, Section 11 (Elections) of the City Charter sets the dates for qualifying for 14 municipal elections from and including noon on the last Tuesday in January to and including 15 noon on the second Tuesday in February, of the year in which the election is held; and 16 WHEREAS, in order to accommodate the statutory vote-by-mail requirements, the 17 Palm Beach County Supervisor of Elections ("SOE") has requested that the City amend its 18 qualifying period to ensure that it ends no later than ninety-five (95) days before Election 19 Day. 20 **WHEREAS**, the SOE has further advised that it may not be able to accommodate the 21 elections of those municipalities that do not change their qualifying dates, as requested; and 22 WHEREAS, Section 166.021(4), F.S., authorizes the City Council, by ordinance, to 23 amend the qualifying dates and the regular City Council election date as set forth in the City 24 Charter; and 25 WHEREAS, in response to the SOE's request, the City Council seeks to change the 26 qualifying dates for the City's March 2024 general election to November 7, 2023, at 12:00 27 p.m., through November 14, 2023, at 12:00 p.m.; and 28 WHEREAS, the City Council finds that changing the dates of the City's March 2024 29 general municipal election, as requested by the SOE, is in the best interests of the citizens 30 and residents of the City.

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1 2 3	NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:
4 5	SECTION 1 . Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.
6 7 8 9 10	SECTION 2. In accordance with Section 166.021(4), F.S., and at the request of the Palm Beach County Supervisor of Elections, the qualifying dates for the City's March 2024 general election are hereby established as November 7, 2023, at 12:00 p.m. through November 14, 2023, at 12:00 p.m.
11 12 13 14	SECTION 3. The City Council deems it the best interest of the residents of the City of Westlake to change the date of the regular City election to be held on March of 2024 to be held on March 19, 2024 which is the Presidential Preference Primary Election.
15 16 17 18 19	SECTION 4. <u>Conflicts</u> . All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.
20 21 22 23 24 25 26	SECTION 5. Severability. Should the provisions of this ordinance be 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 they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.
27 28	SECTION 6 . Effective Date. This ordinance shall be effective upon adoption or second reading.
29 30	PASSED this day of, 2023, on first reading.
31	PUBLISHED on this day of, 2023 in the Palm Beach Post.
32	PASSED AND ADOPTED this day of, 2023, on second reading.
33 34 35 36 37 38 39 40 41	City of Westlake JohnPaul O'Connor, Mayor ATTEST: Zoie Burgess, CMC City Clerk