

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2022 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 11 (Elections) of the City Charter sets the dates for qualifying for municipal elections from and including noon on the last Tuesday in January to and including noon on the second Tuesday in February, of the year in which the election is held; and

WHEREAS, in order to accommodate the statutory vote-by-mail requirements, the Palm Beach County Supervisor of Elections (“SOE”) has “strongly recommended” that the City amend its qualifying period to ensure that it ends no later than Friday, December 3, 2021, ninety-five (95) days before Election Day. A copy of the SOE’s request is attached hereto as Exhibit “A” and incorporated herein; and

WHEREAS, the SOE has further advised that it may not be able to accommodate the elections of those municipalities that do not change their qualifying dates, as requested; and

WHEREAS, Section 166.021(4), F.S., authorizes the City Council, by ordinance, to amend the qualifying dates set forth in the City Charter; and

WHEREAS, in response to the SOE’s request, the City Council seeks to change the qualifying dates for the City’s March 2022 general election to Tuesday, November 2, 2021, at 12:00 p.m., through Tuesday, November 9, 2021 at 12:00 p.m.; and

WHEREAS, the City Council finds that changing the dates of the City’s March 2022 general municipal election, as requested by the SOE, is in the best interests of the citizens and residents of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: Incorporation. The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth herein. All exhibits attached hereto are expressly incorporated herein and made a part of this ordinance.

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 2022 general election are hereby established as Tuesday, November 2, 2021, at 12:00 p.m., through Tuesday, November 9, 2021 at 12:00 p.m.

Section 3: Conflicts. All ordinances and parts of ordinances which conflict with this ordinance are hereby repealed.

Section 4: 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.

Section 5: Effective Date: This Ordinance shall be effective upon adoption on second reading.

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PASSED AND APPROVED on this ____ day of _____, 2021, on first reading.

PUBLISHED on this ____ day of _____, 2021 in the Palm Beach Post.

PASSED AND ADOPTED on this ____ day of _____ 2021, on second reading.

CITY OF WESTLAKE, FLORIDA

Mayor, Roger Manning

ATTEST:

City Clerk, Zoie P. Burgess, CMC

Approved as to Form and Sufficiency

Interim City Attorney's Office