

ORDINANCE 13-05

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING THE FOLLOWING SECTIONS OF CHAPTER 26 OF THE CITY OF DUNEDIN CODE OF ORDINANCES; SECTION 26-73 TO REVISE DATES THAT PETITION CARDS SHALL BE FILED WITH THE CITY CLERK NOT MORE THAN 155 DAYS AND NOT LESS THAN 141 DAYS PRIOR TO THE ELECTION; SECTION 26-74 TO PROVIDE THAT NO PERSON MAY QUALIFY AS A CANDIDATE PRIOR TO THE 155TH DAY BEFORE THE NEXT ELECTION, NOR LATER THAN 12:00 NOON ON THE 141ST DAY BEFORE SAID ELECTION; AND BY PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Commission of the City of Dunedin has agreed to staff's recommendation to revise the Candidate Qualifying Period from the last two weeks in July to the first two weeks in June; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1: That Section 26-73 of Chapter 26 of the Code of Ordinances of the City of Dunedin be amended to read as follows:

Sec. 26-73. - Method of qualifying.

(a) *General requirements.* Each person seeking to qualify as a candidate for city office shall file with the city clerk a candidate's oath and a request that the candidate's name be printed on the next city election ballot, together with campaign finance reports required by F.S. § 106.07, and a statement of financial interests required by F.S. § 112.3145, if applicable, or copies in lieu of originals previously filed.

(b) *Qualification fee.*

(1) Unless qualifying pursuant to the alternative method of qualifying set forth in subsection (d) of this section, a qualification fee of one percent of the annual salary of the office sought shall be paid at the same time as the qualification papers are filed pursuant to subsection (a) of this section.

(2) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment in accordance with F.S. § 99.093. Within 30

days after the close of qualifying, the qualifying officer shall forward all amounts collected pursuant to F.S. § 99.093, and this section to the department of state for deposit in the elections commission trust fund. Payment of the qualifying fee and election assessment shall be by a check drawn on the candidate's campaign account payable to the city, delivered to the city clerk, who shall see that it is deposited in the general revenue fund of the city.

(c) *Petition cards.*

(1) Candidates for the city commission shall each be nominated by petition cards signed personally by not less than 150 qualified voters in the city in the exact manner as the signature of the qualified voter appears on the registration books of the Pinellas County Supervisor of Elections. Petition cards shall be as prescribed by the city clerk and shall contain the residence address of each signer.

(2) Petition cards shall be filed with the city clerk not more than ~~443~~ 155 days and not less than ~~99~~ 141 days prior to the election. The decision of the supervisor of elections shall be final in determining the validity of the signatures on the petition cards.

(3) *As a condition precedent to qualifying, the candidates shall be required to file with their petition cards personal affidavits showing that they are residents of the city, having physically resided therein for a period of at least one year immediately prior to submitting the petition cards and are qualified electors of the city.*

(4) Candidates shall comply with all applicable provisions of the state election law with regard to the requirements for candidacy certification, conduct of the election campaign and campaign financing and compliance with state candidate financial disclosure requirements.

(5) The petition cards shall be transmitted by the city clerk to the supervisor of elections for signature verification pursuant to F.S. § 99.097. The supervisor of elections shall notify the city clerk within five working days after receipt together with a certification of the number of signatures of city electors on the petition cards and whether that number equals or exceeds the requisite number. The cost of signature verification shall be paid pursuant to F.S. § 99.097(4), except that if a candidate is entitled to have the signatures verified at no cost to that candidate, the supervisor of elections shall submit a statement for the cost of such verification, not to exceed \$0.10 per signature, to the city for payment. A candidate is entitled to have the petition card signatures verified at no cost to that candidate, provided that the candidate executes an affidavit under oath that the candidate cannot pay the charges for verification without imposing an

undue burden upon the financial resources available to the candidate. Such affidavit shall be filed with the city clerk together with the petition cards.

(6) Upon receipt of the supervisor of election's certification, the city clerk shall notify the candidate of the result of the verification, and if the requisite number of valid signatures was attained, the city clerk shall place the candidate's name on the next city election ballot and he shall be considered as having qualified as of the date the requisite number of petition cards were certified as valid.

(d) *Alternative qualifying methods.*

(1) As an alternative method for qualifying for those individuals unable to or unwilling to pay the qualification fee, petition cards containing the signatures of city electors equal in number to one percent of the total registered electors of the city as of the most recent preceding regular city election may be filed with the city clerk, together with the required qualification papers, requesting that the individual's name be placed on the next city ballot for the office designated on the petition. The petition shall be filed with the city clerk not more than ~~443~~ 155 days and not less than ~~99~~ 141 days prior to the city election, pursuant to section 26-74.

(2) The petition cards shall be transmitted by the city clerk to the supervisor of elections for signature verification pursuant to F.S. § 99.097. The supervisor of elections shall notify the city clerk within ten days after receipt together with a certification of the number of signatures of city electors on the petition and whether that number equals or exceeds the requisite number. The cost of signature verification shall be paid pursuant to F.S. § 99.097(4), except that in the event a candidate is entitled to have the signature verified at no cost to that candidate, the supervisor shall submit a statement for the cost of such verification, not to exceed \$0.10 per signature, to the city for payment. A candidate is entitled to have the petition card signatures verified at no cost to that candidate, provided that he executes an affidavit, under oath, that the candidate cannot pay the charges for verification without imposing an undue burden upon the financial resources available to the candidate. Such affidavit shall be filed with the city clerk together with the petition cards.

(3) Upon receipt of the supervisor's certification, the city clerk shall notify the candidate of the result of the verification, and if the requisite number of valid signatures was attained, the city clerk shall place the candidate's name on the next city election ballot, and the candidate shall be considered as having qualified as of the date the requisite number of petition cards were certified as valid.

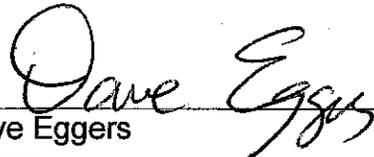
Section 2: That Section 26-74 of Chapter 26 of the Code of Ordinances of the City of Dunedin be amended to read as follows:

Sec. 26-74. - Time for qualifying.

No person may qualify as a candidate prior to the ~~413~~ 155th day before the next city election nor later than 12:00 noon, local time, on the ~~99th~~ 141st day before the said election, except that if the ~~99th~~ 141st day falls on a day that is a Saturday, Sunday or city holiday, the qualifying period shall be extended to the next city business day.

Section 3: This Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of February, 2013.



Dave Eggers
Mayor

ATTEST:


Denise M. Schlegel
City Clerk

Passed on First Reading: February 07, 2013

Passed on Second Reading: February 21, 2013