

## ORDINANCE 15-21

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING THE CODE OF ORDINANCES; AMENDING SECTION 26-2 TO REVISE THE DEFINITION OF BALLOT AND OFFICIAL BALLOT; AMENDING SUBPARAGRAPHS (C)(2) AND (D)(1) OF SECTION 26-73 TO PROVIDE FOR A CANDIDATE QUALIFYING FILING DEADLINE OF 12:00 NOON ON THE 141<sup>ST</sup> DAY BEFORE ELECTION; AMENDING SECTION 26-75 TO PROVIDE FOR A REFERENCE TO THE CITY CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, the City of Dunedin's Ordinance Review Committee and the City Clerk have recommended revisions to the City of Dunedin Municipal Election Code as found within the Code of Ordinances of the City of Dunedin, Florida, to revise the definition of "Ballot and official ballot", to provide for a specific time of day for the candidate qualifying filing deadline and to incorporate a reference to Section 3.06 of the City Charter; and

**WHEREAS**, the recommendations of the Ordinance Review Committee and the City Clerk have been found meritorious by the City Commission; and

**WHEREAS**, the City Commission has received input from the public at two public hearings;

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

**Section 1.** That the definition of "Ballot and official ballot" found within Section 26-2 of Article I, Chapter 26, Subpart A, Part II of the Code of Ordinances of the City of Dunedin shall be amended, to read as follows:

*Ballot and official ballot* when used in reference to:

- (1) *Paper ballots* means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting machine, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election on which a sheet of paper an elector casts his or her vote.

- (2) *Electronic or electromechanical ~~devices~~ devices* means a ballot that is voted by the process of electronically designating, including by touch screen or ~~making~~ marking with a marking ~~device~~ device for tabulation by automatic tabulating equipment or data processing equipment.

**Section 2.** That subparagraph (c)(2) of Section 26-73 of Article III, Chapter 26, Subpart A, Part II of the Code of Ordinances of the City of Dunedin shall be amended, to read as follows:

- (2) Petition cards shall be filed with the city clerk not more than 155 days and ~~not less than 141 days prior to the election.~~ must be certified by 12:00 noon, local time, on the 141st day before the said election. The decision of the supervisor of elections shall be final in determining the validity of the signatures on the petition cards.

**Section 3.** That subparagraph (d)(1) of Section 26-73 of Article III, Chapter 26, Subpart A, Part II of the Code of Ordinances of the City of Dunedin shall be amended, to read as follows:

- (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 155 days and ~~not less than 141 days prior to the city election,~~ must be certified by 12:00 noon, local time, on the 141st day before the said election, pursuant to section 26-74.

**Section 4.** That subparagraph (b) of Section 26-75 of Article III, Chapter 26, Subpart A, Part II of the Code of Ordinances of the City of Dunedin shall be amended, to read as follows:

- (b) If the withdrawal of a qualified candidate following the end of the qualifying period results in only one candidate remaining on the ballot for that office, the remaining candidate shall be declared elected, and no election for that office shall be required, and the qualified candidate's name shall not be printed on the ballot. Each commission seat shall be deemed to be an office. In this situation, when two commission seats are to be filled when the withdrawal of a qualified candidate leaves one or fewer candidates, a vacancy shall exist as to such seat and such vacancy shall be filled in accordance with the city Charter, Section 3.06.

**Section 5.** That this Ordinance shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of May, 2015.**

  
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Julie Ward Bujalski  
Mayor

ATTEST:

  
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Denise M. Kirkpatrick  
City Clerk

READ FIRST TIME AND PASSED: May 07, 2015

READ SECOND TIME AND ADOPTED: May 21, 2015