

ORDINANCE 380-90

ORDINANCE AMENDING THE CHARTER OF THE TOWN OF GOLDEN BEACH; SECTION 6.01(C)(1); NOMINATING PROCEDURE FOR MAYOR AND/OR COUNCILMEMBERS; ESTABLISHING THE DATE OF QUALIFICATION OF CANDIDATES FOR ELECTION; ESTABLISHING A QUALIFYING FEE OF FIFTY DOLLARS (\$50.00); SELECTION OF CLERKS OF ELECTION BY TOWN CLERK; REPEALING ORDINANCES AND CONFLICTS EFFECTIVE DATE.

WHEREAS, The Charter of The Town of Golden Beach mandates that all general or special elections for the office of Mayor and Council shall be conducted in accordance with the laws of the State of Florida except as otherwise provided in the Charter or Ordinances of the Town, and

WHEREAS, The Town Council desires to fix the date of qualification for candidates for election, and

WHEREAS, It is deemed necessary proper to establish a permanent filing fee in accordance with Town tradition, and

WHEREAS, Section of Clerks of Election is a ministerial task generally performed by the Town Clerk,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH:

SECTION 1: That the Charter of The Town of Golden Beach Article VI, Elections, be in the same is hereby amended as follows:

(1) Any qualified elector of The Town may be nominated for Mayor or Councilmember by petition signed by fifty (50) qualified electors and accompanied by a filing fee of not less than \$50.00. ~~With the Town Clerk's consent, five (45) days prior to the day of election, the qualifying petitions and filing fee shall be filed with the Clerk during the period beginning noon on the fiftieth (50th) day prior to the day of election and shall terminate on the forty-fifth (45th) day prior to the election unless said date falls on a legal holiday, Saturday or Sunday, in which event the qualifying period shall be extended to the next regular work day terminating at twelve o'clock noon.~~

(2) When the nominating petition is filed with the Clerk, the Clerk shall determine the sufficiency of the petition and hand deliver the petition to the office of the Dade County Registrar who shall verify the number of valid signatures within five (5) days. The Town Clerk shall notify the candidate whether or not it is signed by the required number of qualified electors. If a petition is found insufficient after the last day for qualification, the Town Clerk shall place the petition in a secure place and return a photocopy to the candidate with a statement certifying wherein the petition is insufficient. If the petition is found to be insufficient prior to the last day of qualification, the petition shall be returned to the candidate who may amend the petition or prepare a different petition and refile prior to the last day of qualification. All petitions received by the Town Clerk, whether sufficient or insufficient, after the last day of qualification shall be preserved by the Town Clerk until the results of the election in which the person sought nomination is voted upon and canvassed, whereupon all petitions shall be destroyed.

(3) The Town Clerk is empowered to select all Clerks of Election in compliance with the State Law and the Dade County Code.

(d) Any person who shall possess the qualifications requisite to be an elector at the general state election and shall have resided in the Town for more than forty five (45) days next preceding the Town Election at which they offer to vote and shall have registered with the Election Division of Metropolitan Dade County shall be a qualified elector of the Town.

(e) Any person who shall have been a qualified elector of the Town and who shall have resided in the Town for more than 365 days prior to the day of election at which said person seeks to qualify as a candidate for the office of Council or

Mayor shall be qualified as a candidate to seek the office of Council or Mayor.

SECTION 2: That all Ordinances or parts of Ordinances in conflict be and the same is hereby repealed in so far they are in conflict.

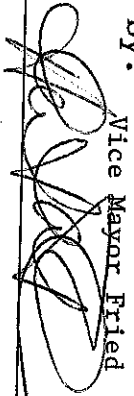
SELECTION 3: This Ordinance shall take effect upon passage.

SECTION 4: That this Ordinance amends the Charter of the Town of Golden Beach and the Town Charter shall be revised in order to provide for the amendment thereto as contained herein.

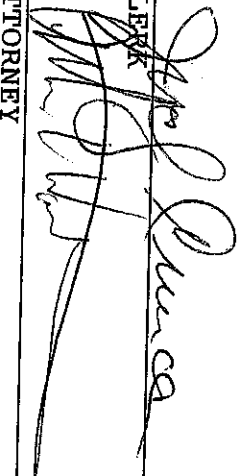

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida this 18 day of December, 1990.

The motion to adopt the foregoing ordinance was offered on second reading by:

Councilman Duffner
seconded by: Nice Mayor Fried

Mayor 

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

TOWN CLERK 
TOWN ATTORNEY 

AND ON ROLL CALL THE FOLLOWING VOTE ENSUED:

MAYOR:	TOBIN	aye
VICE MAYOR:	FRIED	aye
COUNCILMAN:	MENA	aye
COUNCILMAN:	DUFFNER	aye
COUNCILMAN:	SOROTA	aye

For all sections which amend existing provisions, words stricken through shall be deleted, underscored words constitute the amendment proposed, and remaining provisions are now in effect and remain unchanged.

ARTICLE VI
ELECTIONS

- Section 6.01 - Elections; Electors' qualifications; Qualifications of candidates for office
- Section 6.02 - Special Elections
- Section 6.03 - General Elections
- Section 6.04 - Declaration of election
- Section 6.05 - Tie vote
- Section 6.06 - Designation of vice-mayor
- Section 6.07 - Vacancies

Section 6.01 - ELECTIONS; ELECTORS' QUALIFICATIONS;
QUALIFICATIONS OF CANDIDATES FOR OFFICE

All elections shall be conducted and held in accordance with the provisions of the general election laws of the State of Florida, except as otherwise provided in the charter or ordinances of the Town. The form of ballot, qualifying fee, form of nominating petition procedure for filing with the town clerk and other matters relating to elections shall be established by ordinance. The following minimum requirements shall be applicable to all general or special elections for the office of mayor and council:

- (a) The mayor shall be elected for a term of two (2) years, councilmembers shall be elected for a term of four (4) years.
- (b) Candidates for the office of mayor shall qualify and run for election in a group separate and apart from the office of council.
- (c) Nomination procedure for mayor and/or councilmembers:

(1) Any qualified elector of the town may be nominated for mayor or councilmember by petition signed by fifty (50) ~~not less than~~ \$50.00. ~~with the town clerk's~~ ~~five (45) days prior to the day of election.~~ Qualifying petitions shall be filed with the clerk during the period beginning noon on the fiftieth (50) day prior to the day of election and shall terminate on the forty-fifth (45) day prior to the election unless said date falls on a legal holiday, Saturday or Sunday, in which event the qualifying period shall be extended to the next regular work day terminating at twelve o'clock noon.

- (2)
- (d) ~~(3)~~
- e)