

ORDINANCE NO. 1502

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES, ENTITLED "ELECTIONS", BY AMENDING ARTICLE IV, ENTITLED "ELECTION ADMINISTRATION" SPECIFICALLY AT SECTION 6-76, ENTITLED "DATES OF ELECTIONS" TO CHANGE THE DATES FOR REGULAR ELECTIONS FROM MAY IN ODD-NUMBERED YEARS TO NOVEMBER IN EVEN-NUMBERED YEARS TO COINCIDE WITH NATIONAL AND GUBERNATORIAL ELECTIONS; CHANGING THE DATE OF THE RUNOFF ELECTION; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Section 36 of the City Charter requires that regular elections shall be held in odd-numbered years, on the second Tuesday in May; and

WHEREAS, Section 6-76, of the City Code provides for the date of regular elections to be held in odd-numbered years, on the second Tuesday in May; and

WHEREAS, in accordance with section 6-76, runoff elections are to be held in odd-numbered years, on the first Tuesday in June; and

WHEREAS, Section 100.3605(2), Florida Statutes, grants the City Council with the authority to change the dates of its election; and

WHEREAS, election dates which coincide with national and gubernatorial elections occurring in November produce higher voter turnout and result in lower election administration costs; and

WHEREAS, this change would benefit the City in providing a more cost-efficient and streamlined election; and

WHEREAS, the City Council desires to change the City's regular and run-off election dates accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. The City Council of the City of North Miami, Florida, hereby amend Chapter 6 of the Code of Ordinances entitled "Elections", under Article IV, entitled "Election

Administration", specifically at Section 6-76, entitled "Dates of Elections," as follows:

CHAPTER 6. ELECTIONS

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ARTICLE IV. ELECTION ADMINISTRATION

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Sec. 6-76. - Dates of elections.

(a) Regular elections to fill the office of mayor, city councilmember or city clerk shall be held in ~~odd~~even-numbered years, on the ~~second~~first Tuesday ~~after the first Monday in May November~~.

(b) In the event no candidate receives a majority of the votes cast in the regular election, a runoff election between the two (2) candidates receiving the largest number of votes for a seat shall be held in ~~odd~~even-numbered years, on the first Tuesday ~~after the first Monday in June December~~. Any subsequent runoff election shall be held in exactly three (3) weeks thereafter.

Section 2. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. Conflicts. In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

Section 4. Severability. The provisions of this Ordinance are 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 stand notwithstanding the invalidity of any part.

Section 5. Codification. The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 7th day of November, 2022.

PASSED AND ADOPTED by a 3-1 vote of the City Council of the City of North Miami, Florida, on second reading this 13th day of December, 2022.



ALIX DESULME, Ed.D.
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: MAYOR ALIX DESULME

Moved by: Desulme

Seconded by: Galvin

Vote:

Mayor Alix Desulme, Ed.D.	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Councilman Scott Galvin	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Councilwoman Kassandra Timothe, MPA	<input type="checkbox"/> (Yes) <input checked="" type="checkbox"/> (No)
Councilwoman Mary Estimé-Irvin	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.