

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING SECTION 11 OF ARTICLE II OF THE CITY CHARTER TO CHANGE THE DATE OF THE MUNICIPAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Section 101.75, Florida Statutes, the Charter of the City of Tarpon Springs may be amended to move the date of the municipal election to a date concurrent with any statewide or countywide election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

SECTION 1. That Section 11 of Article II of the Charter of the City of Tarpon Springs shall be amended to read as follows:

Section 11. - Terms of office, qualifications, date of annual election.

- (a) The municipal election to select the board of commissioners shall be held on the ~~second~~ Tuesday following the second Monday in March; except during Presidential Preference Primary years and then per FS 103.101, the election shall be held on the third Tuesday in March. All elections shall be conducted on a nonpartisan basis without regard for the political party affiliation of any party. Candidates for the office of city commissioner shall qualify for a single specific seat. The candidate receiving the greatest number of votes for the office of mayor, and for each respective seat, shall be declared elected, if otherwise qualified.
- (b) No person shall be a candidate for the office of mayor or commissioner until such person has paid a qualification fee of \$25.00, has been requested to be a candidate for such office by at least 25 qualified electors. Such person shall be a registered voter, and shall have been a continuous resident of the city for at least one year prior to the final day for qualifying for such office. Each newly elected officer shall assume their office at the first regular meeting of the board of commissioners in April following the election, and shall accept the following oath:

"I do solemnly swear or affirm that I will support, protect, and uphold the Constitution of the United States and of the State of Florida, and the Charter and Laws of the City of Tarpon Springs; that I am duly qualified to hold the office of (title of office); that I will faithfully perform the duties of that office on which I am now about to enter."
- (c) The term of office for the mayor and commissioners shall be three years. No person shall be eligible to hold the office of mayor or commissioner, or both, for more than two consecutive full terms. If any mayor or commissioner be appointed to such office as provided herein, such person may be a candidate for such office for two consecutive terms. Thereafter, such person shall not be a candidate for

either such office for a period of one year. If any mayor or commissioner is elected to complete a portion of a term, such person may only be eligible for such office for one consecutive term.

- (d) In the event that any mayor or commissioner dies, resigns, ceases to be qualified for the office or is removed from office in any manner prescribed by law, that office shall become vacant. If there is a vacancy in the office of mayor or commissioner, the board of commissioners by majority vote shall within 60 days of such vacancy appoint a qualified person to serve the vacated office until the next regular city or county election. At such election, a qualified person shall be elected to serve the remaining term of the vacated office. Should the board of commissioners fail to fill the vacancy within 60 days, the governor shall appoint a qualified person to fill the vacated office. In the event that there shall be a simultaneous vacancy of three or more members of the board of commissioners, the governor shall appoint successors to fill the remaining terms of such vacancies or until such time as successors thereof are elected.
- (e) The board of commissioners shall judge the qualifications, election, and returns of its own members, and shall prescribe rules for the determination for contested or tied elections. Any mayor or commissioner who shall miss two regular meetings in succession shall be deemed to have resigned such office, unless such absence is excused by the board of commissioners. The procedure for the recall of a mayor or commissioner shall be according to the provisions of Section 100.361, Florida Statutes.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. In the event a court of competent jurisdiction finds any part or provision of this Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

SECTION 4. The keeper of the Charter for the City of Tarpon Springs is directed to include this Ordinance in the Charter and may renumber and reclassify the same as may be required for inclusion in the Charter for the City of Tarpon Springs.

SECTION 5. This ordinance shall take effect immediately upon its passage and adoption in the manner provided by law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA THIS _____ DAY OF _____, 2021.