1st Reading _____ 2nd Reading_____

1	ORDINANCE NO. 2023-05
2 3 4 5 6 7 8 9 10 11 12	AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2024 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR A CHANGE IN DATE OF THE CITY'S MARCH 2024 GENERAL MUNICIPAL ELECTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE
12	WHEREAS, Section 11 (Elections) of the City Charter sets the dates for qualifying for
14	municipal elections from and including noon on the last Tuesday in January to and including
15	noon on the second Tuesday in February, of the year in which the election is held; and
16	WHEREAS, in order to accommodate the statutory vote-by-mail requirements, the
17	Palm Beach County Supervisor of Elections ("SOE") has requested that the City amend its
18	qualifying period to ensure that it ends no later than ninety-five (95) days before Election
19	Day.
20	WHEREAS, the SOE has further advised that it may not be able to accommodate the
21	elections of those municipalities that do not change their qualifying dates, as requested; and
22	WHEREAS, Section 166.021(4), F.S., authorizes the City Council, by ordinance, to
23	amend the qualifying dates and the regular City Council election date as set forth in the City
24	Charter; and
25	WHEREAS, in response to the SOE's request, the City Council seeks to change the
26	qualifying dates for the City's March 2024 general election to November 7, 2023, at 12:00
27	p.m., through November 14, 2023, at 12:00 p.m.; and
28	WHEREAS, the City Council finds that changing the dates of the City's March 2024
29	general municipal election, as requested by the SOE, is in the best interests of the citizens
30	and residents of the City.
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1st Reading _____ 2nd Reading_____

4 5	SECTION 1. <u>Recitals</u> . The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.
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7 8 9 10	SECTION 2. In accordance with Section 166.021(4), F.S., and at the request of the Palm Beach County Supervisor of Elections, the qualifying dates for the City's March 2024 general election are hereby established as <u>November 7, 2023, at 12:00 p.m. through November 14, 2023, at 12:00 p.m.</u>
11 12 13 14	SECTION 3. The City Council deems it the best interest of the residents of the City of Westlake to change the date of the regular City election to be held on March of 2024 to be held on <u>March 19, 2024</u> which is the Presidential Preference Primary Election.
15 16 17 18 19	SECTION 4. <u>Conflicts</u> . All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.
20 21 22 23 24 25 26	SECTION 5. <u>Severability</u> . Should the provisions of this ordinance be 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 remain notwithstanding the invalidity of any part.
20 27 28 29	SECTION 6. Effective Date. This ordinance shall be effective upon adoption on second reading.
30	PASSED this 5th day of September 2023, on first reading.
31	PUBLISHED on this 24^{th} day of <u>September 2023</u> in the Sun Sentinel.
32 33 34 35 36 37 38 39 40 41 42	ATTEST: Zoie Bargess, CMC City Clerk
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NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF

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WESTLAKE, FLORIDA, AS FOLLOWS: