

ORDINANCE NO. 4

AN ORDINANCE PROVIDING FOR REGULAR MUNICIPAL ELECTIONS FOR ELECTION OF OFFICERS OF THE CITY OF PORT ST. JOE; DEFINING THE QUALIFICATION OF CANDIDATES FOR ELECTION, FORM OF BALLOT AND QUALIFICATION OF ELECTORS; PROVIDING FOR REGISTRATION OF ELECTORS, CONDUCT OF ELECTIONS AND RETURNS THEREOF, AND FOR THE TERM OF OFFICE OF SUCH OFFICERS AND OTHER MATTERS RELATING TO SUCH ELECTIONS, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE:

SECTION 1. WHEN HELD. Regular municipal elections for the election of City Commissioners for the City of Port St. Joe shall be held on the second Tuesday in September, 1963, and on the second Tuesday in September annually thereafter, at the City Hall.

SECTION 2. QUALIFICATIONS. Any person who is a resident, qualified elector and freeholder of the City of Port St. Joe, and a qualified voter under the laws of Florida, may become a candidate for the election of office of City Commissioner for the City of Port St. Joe by paying a qualification fee of Thirty-five Dollars (\$35.00) to the City Auditor and Clerk and by taking and subscribing to an oath or affirmation in substantially the following form and filing the same with the City Auditor and Clerk not less than twenty (20) days prior to the day of holding such election:

STATE OF FLORIDA  
COUNTY OF GULF  
CITY OF PORT ST. JOE

Before me, an officer authorized to administer oaths and take acknowledgments, personally appeared \_\_\_\_\_, who being duly sworn says that he/she is a candidate for election for the office of \_\_\_\_\_ in the municipal election to be held in the year \_\_\_\_\_, that he/she is a qualified elector, resident and freeholder in the City of Port St. Joe; that he/she is a qualified voter under the laws of Florida; that he/she is duly qualified to hold office under the Constitution and Laws of the State of Florida, and that he/she has not violated any of the Laws of the City of State relating to Primary or General elections or the registration of voters therefor.

Sworn to and subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_\_.

\_\_\_\_\_  
City Auditor and Clerk of the  
City of Port St. Joe, Florida

SECTION 3. NAMES ON BALLOT. The names of all candidates qualified in accordance with the provisions of Section 2 hereof shall be placed upon the ballot in alphabetical order under each Commissioner group and the candidate receiving the largest number of votes cast in the Mayor-Commissioner race shall be elected, and the candidate receiving the largest number of votes cast in each commissioner group shall be elected; Provided, However, that in the event there are more than two (2) candidates for any one office and neither shall receive a majority of the total votes cast for such office, then another election shall be held two (2) weeks from the date of the first election, at which the two candidates that receive the largest number of votes in the former election shall be voted on again. The Mayor-Commissioner and the Commissioners shall be elected at large in the City.

SECTION 4. QUALIFICATIONS OF ELECTORS. No person shall be allowed to vote at such regular municipal election who is not a qualified voter under the Laws of Florida, and who has not resided in the City of Port St. Joe for six (6) months next preceding such election, and who is not duly registered in the Registration Book for qualified electors of said City.

SECTION 5. REGISTRATION OFFICER. The City Auditor and Clerk, as Registration Officer for the City of Port St. Joe, shall register all persons applying to him therefor whose names are not already upon the Registration Book and who are qualified electors under this ordinance and Chapter 61-2720, Laws of Florida, 1961. For this purpose, the Registration Books shall be opened at the office of the City Auditor and Clerk at the City Hall, Port St. Joe, Florida, forty (40) days before the holding of a regular municipal election and shall remain open for registration for a period of thirty (30) days thereafter, between the hours of 9:00 o'clock A.M. and 12:00 o'clock A.M. and from 1:00 o'clock P.M. to 5:00 o'clock P.M., each day, except Sundays and holidays. Each person applying to be registered shall take the following oath which will be administered by the Registration Officer or his duly appointed deputy: "I do solemnly swear that I am a bona fide resident of the City of Port St. Joe and possess all of the qualifications of an elector of said City." The name of each person so registered shall be entered in a book prepared for that purpose, which book shall be called the Registration Book of the City of Port St. Joe, which book shall show under appropriate heading, the age, color, occupation and exact place of residence of each person so registered. The City Auditor and Clerk, as Registration Officer, on the day of such regular municipal election, shall furnish to each Inspector and Clerk of the election, hereinafter provided for a certified list of all qualified electors registered in such Registration Book for use in holding said election.

SECTION 6. CLERKS, INSPECTORS, APPOINTMENT, COMPENSATION. The City Commission shall make all necessary arrangements for holding regular municipal elections, and shall declare the result thereof. Three Inspectors and one clerk of election shall be appointed by the City Commission, except that if the City Commission shall fail to appoint such Inspectors and Clerk at least two days before the date of such election, the Mayor may appoint them. The Inspectors and Clerk so acting at a regular municipal election shall receive for their services for one day the sum of Fifteen Dollars (\$15.00) each, payable from the general fund of the City Treasury as other moneys are paid therefrom.

SECTION 7. NOTICE OF ELECTION AND OPENING REGISTRATION BOOK. The City Auditor and Clerk shall cause a notice of the time and place of holding each regular municipal election to be published in a newspaper published in the City of Port St. Joe once a week for four consecutive weeks immediately preceding each regular municipal election. The City Auditor and Clerk shall cause a notice of the hours, time and place of opening the Registration Book for registration of electors for all regular municipal elections to be published once a week for two (2) consecutive weeks immediately prior to the opening of such Registration Book, and for one week after such Book is so opened for such purpose.

SECTION 8. ABSENTEE BALLOT--APPLICATION; TIME; FORM. Any elector who will be absent on the day of an election from the City, or who is physically incapable of appearing at the polling place, may make application to the City Auditor and Clerk or his deputy, either in person or by mail, at any time during the twenty days preceding the election or, in the event of a run-off election, at any time after the first election, but not later than 5:00 o'clock P.M. of the fifth day prior to the general City election nor not later than 5:00 o'clock P.M. of the third day prior to any run-off election, upon a blank to be furnished by the City Auditor and Clerk for the official ballot to be voted at such election, such blank shall be in substantially the following form signed by the applicant and witnessed by two witnesses:

APPLICATION FOR ABSENTEE BALLOT

I, \_\_\_\_\_, duly qualified and registered as an elector of the City of Port St. Joe, Florida, will be unable to attend the polls in said City on the day for holding \_\_\_\_\_ (designate which election) because: (Check appropriate reason)

( ) I am physically disabled and unable to attend the polls on election day.

( ) I will be absent from the City during the entire period the polls are open for voting on the day of election.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Signature)

Signed in the Presence of:

\_\_\_\_\_  
\_\_\_\_\_

Sworn to and subscribed before me.

\_\_\_\_\_  
Notary Public

Upon receipt of such application in substantially the above styled form, the City Auditor and Clerk, or his deputy shall furnish the elector a ballot for the purpose of voting.

SECTION 9. ABSENTEE BALLOT--VOTING AND FILING. All absentee ballots shall be cast with the City Auditor and Clerk at least five (5) days prior to the general city election, and all absentee ballots for the run-off election shall be cast three (3) days prior to the run-off. Such ballots shall be retained by the City Auditor and Clerk in a sealed envelope and shall be placed in the ballot box after the polls are closed and shall be canvassed by the Clerk and Election Inspectors as other ballots are canvassed. The names of all persons who voted absentee ballots shall be furnished to the Clerk and Inspectors of the election who shall strike their names from the list of electors as having voted.

SECTION 10. OPENING AND CLOSING POLLS, RETURNS. The polls at all regular municipal elections shall open at 7:00 o'clock A.M. and close at 7:00 o'clock P.M. by whatever time is officially used by the City. The result of the voting when ascertained, shall be certified by returns in duplicate, signed by the Clerk and a majority of the Inspectors of election; one copy being delivered by such clerk and inspectors to the Mayor-Commissioner, and the other to the City Auditor and Clerk, both of whom shall transmit such returns to the City Commission at a meeting to be held at 12:00 o'clock, Noon, on the day following each regular municipal election. At such meeting the City Commission shall canvass the returns and the result as shown by such returns shall be by the Commission declared as the result of such regular municipal election. The City Auditor and Clerk shall, not later than noon of the second day after such election, furnish a certificate of election to each person shown to have been elected.

SECTION 11. All regular municipal elections of the City of Port St. Joe shall be held and conducted substantially on the principal adopted for State elections, insofar as there is not conflict with the terms of this ordinance or the provisions of Chapter 61-2720, Laws of Florida, Acts of 1961.

SECTION 12. Any person elected to the office of City Commissioner shall continue in office until the election and qualification of his successor, unless sooner removed in accordance with the provisions of the laws and ordinances governing the City of Port St. Joe.

SECTION 13. This ordinance shall go into effect immediately upon its becoming a law.

INTRODUCED in the City Commission on the 19th day of February, A. D. 1963, and PASSED AND ENACTED by the City Commission on the 21st day of May, A. D. 1963.

/s/ Frank Hannon  
Mayor-Commissioner

ATTEST:

/s/ J. B. Williams  
City Auditor and Clerk

