

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SCHEDULING THE DATE OF THE TOWN'S 2016 GENERAL MUNICIPAL ELECTION, PURSUANT TO SECTION 101.75, FLORIDA STATUTES, TO MARCH 15, 2016 TO COINCIDE WITH THE 2016 PRESIDENTIAL PREFERENCE PRIMARY; PROVIDING FOR THE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 101.75, Florida Statutes, provides authority for municipalities to move their elections to the same date as any statewide or countywide election by adopting an ordinance confirming the change in the election date and the qualifying period for the election; and,

WHEREAS, Chapter 2015-5, Laws of Florida, amended Section 103.101, F.S. to schedule the Presidential Preference Primary on the third Tuesday in March in those years with a Presidential Preference Primary, which in 2016 is March 15, 2016; and

WHEREAS, the Palm Beach County Supervisor of Elections has advised that she cannot conduct municipal elections on their usual date of March 8, 2016 due to the Presidential Preference Primary being scheduled a week later on March 15, 2016; and

WHEREAS, pursuant to the authority in Section 101.75, F.S., the Town Council desires to move its 2016 General Municipal Election from March 8, 2016 to March 15, 2016; and,

WHEREAS, the Palm Beach County Supervisor of Elections has further advised the Town that it must provide the candidates' names for the March 2016 election on or before December 15, 2015; and

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WHEREAS, pursuant to Section 101.75, F.S., the Town will establish a qualifying period from noon on November 3, 2015 to noon on November 10, 2015; and

WHEREAS, the Town Council deems it to be in the best interests of the citizens and residents of the Town to move the date of the Town's General Municipal Election and the qualifying period for the Town's 2016 Municipal General Election.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

Section 2. The Town Council of the Town of Loxahatchee Groves, Florida, pursuant to the authority of §101.75, Florida Statutes, schedules the date of the Town of Loxahatchee Groves' 2016 General Municipal Election as March 15, 2016.

Section 3. The Town Council hereby provides and sets the qualifying period for the 2016 General Municipal Election shall be noon on Tuesday, November 3, 2015 through noon on Tuesday, November 10, 2015.

Section 4. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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~~Strike thru~~ represents deleted text, and underline represents added text.

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Section 6. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 16th DAY OF June, 2015.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 7th DAY OF July, 2015.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Janet K. Whipple
Janet K. Whipple, Town Clerk

David Browning
Mayor David Browning

Ronald Harris
Vice-Mayor Ron Harris

Tom Goltz
Council Member Tom Goltz

APPROVED AS TO LEGAL FORM:

[Signature]
Office of the Town Attorney

Ryan Liang
Council Member Ryan Liang

Jim Rockett
Council Member Jim Rockett