

ORDINANCE 23-31

AN ORDINANCE AMENDING CHAPTER 33, ELECTIONS, ARTICLE I, GENERAL PROVISIONS, SECTION 33.02, CITY COUNCIL AND MAYOR OF THE PORT ST. LUCIE CITY CODE OF ORDINANCES; PROVIDING FOR ELECTION QUALIFICATION FEES UPDATE, PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATON; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida (“City”) desires to update Chapter 33, Elections, Article I, General Provisions of the Port St. Lucie Code of Ordinances (“Code”) to amend the Election Qualifying Fees; and

WHEREAS, on March 20, 2023, the Port St. Lucie City Council voted to request the Code change.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Title III, Administration, Chapter 33, Elections, Article I, General Provisions of the Code is amended as follows: (~~strike through text~~ indicates deletions while underlined text indicates additions):

CHAPTER 33 ELECTIONS

ARTICLE I. GENERAL PROVISIONS

Sec. 33.02. City Council and Mayor.

(a) Any qualified elector of the City ~~city~~ who ~~shall~~ desires to become a candidate for the office of City Council ~~city council member~~, or Mayor, shall file with the City Clerk at any time after noon of the first day for qualifying, which shall be the 71st day prior to the first primary or special election, but not later than noon of the 67th day prior to the date of the first primary or special election or such other qualifying period as may be established by State law for qualifying for County office. A candidate wishing to qualify must do the following: [¶]

1. Submit a written request that his or her name be placed upon the ballot for election, and declare himself or herself as a bona fide candidate for that office, and;
2. Shall at the same time, pay to the City Clerk a ~~registration or filing fee~~ Filing Fee of \$25.00 three (3%) percent of the annual salary of the Office sought at time of qualifying. In lieu of

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payment of the three (3%) percent Filing Fee, a candidate may opt to qualify via petition pursuant to § 99.095, Florida Statutes; and

3. Shall pay the Election Assessment of one (1%) percent of the annual salary of the Office sought at time of qualifying. ~~any qualifying fee as established by State law and.~~ In lieu of payment of the one (1%) percent Election Assessment, a candidate may opt to qualify by seeking a waiver pursuant to § 99.093, Florida Statutes.

Any candidate may withdraw his or her name at any time before the forms for the election ballots are delivered to the printer for printing, but in no event shall the ~~registration or~~ Filing Fee or Election Assessment be returned or refunded.

(b) Candidates for City Council ~~councilmember~~ for district representation, shall as a condition for qualifying to run for the office of City Council ~~city councilmember~~ and as a condition for being placed upon the ballot for that office, be required to have continuously resided within the district for which election is sought for a period of one year immediately prior to the deadline for qualifying. Candidates for Mayor, shall as a condition for qualifying to run for the office of Mayor and as a condition for being placed upon the ballot for that office be required to have continuously resided within the City one year immediately prior to the deadline for qualifying.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

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

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PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney