

ORDINANCE NO. 7

AN ORDINANCE PROVIDING FOR REGULAR MUNICIPAL ELECTIONS FOR ELECTION OF OFFICERS OF THE TOWN OF MEXICO BEACH, FLORIDA; 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; PROVIDING THAT SAID ORDINANCE IS AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council is of the opinion that it is necessary for the immediate protection and preservation of the peace, safety, health and property of the Town and its inhabitants that this Ordinance be enacted and take effect immediately; now, therefore,

BE IT ORDAINED BY THE PEOPLE OF THE TOWN OF MEXICO BEACH:

Section 1. WHEN HELD. Regular municipal elections for the election of the Town Council and Mayor-Councilman for the Town of Mexico Beach shall be held on the first Tuesday after the first Monday in November in the year 1968, and on the first Tuesday after the first Monday in November annually thereafter at such places as the Town Council shall direct.

Section 2. QUALIFICATIONS. Any person who is a resident, qualified elector and frecholder of the Town of Mexico Beach, and a qualified voter under the laws of Florida, may become a candidate for the election of office of Town Councilman or Mayor-Councilman for the Town of Mexico Beach by paying a qualification fee of fifteen dollars (\$15.00) to the Town Clerk and by taking and subscribing to an oath or affirmation in substantially the following form and filing the same with the Town Clerk not less than ten(10) days prior to the day of holding such election:

30

STATE OF FLORIDA  
COUNTY OF LAY  
TOWN OF MEXICO BEACH

Before me, an officer authorized to administer oaths and take acknowledgements, 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 Town of Mexico Beach; 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 Town or 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\_\_\_\_.

\_\_\_\_\_  
Town Clerk  
Town of Mexico Beach, 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 Councilman group and the candidate receiving the largest number of votes cast in the Mayor-Councilman race shall be elected, and the candidate receiving the largest number of votes cast in each Councilman Group shall be elected; provided, however, in the event that two or more candidates shall have received an equal number of votes for any office, and the tied vote shall be among the candidates receiving the greatest number of votes, the tie shall be resolved by a run-off election to be called and held by the Town Council within fifteen (15) days. The Mayor-Councilman and the Town Councilmen shall be elected at large within the Town.

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 Town of Mexico Beach for six (6) months next preceding such election, and who is not duly registered in the Registration Book for qualified electors of said Town.

Section 5. REGISTRATION OFFICER. The Town Clerk, as Registration Officer for the Town of Mexico Beach, 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 67-1717, Laws of Florida, 1967. For this purpose, the Registration Books shall be opened at the Office of the Town Clerk at the Town Hall, Mexico Beach, Florida, 60 days before the holding of a regular municipal election and shall remain open for registration for a period of 30 days thereafter, between the hours of 9:00 o'clock A.M. and 12:00 A.M. and from 1:00 P.M. to 5:00 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 Town of Mexico Beach and possess all of the qualifications of an elector of said Town." 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 Town of Mexico Beach, which book shall show under appropriate heading, the age, color, occupation and exact place of residence of each person so registered. The Town 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. The Registration list now existing in the Town of Mexico Beach is hereby ratified and confirmed, and the list as it now exists, together with those persons who properly register hereafter, shall constitute the Registration list for the municipal election to be held in November, 1968. The procedure set forth above shall apply to all registration subsequent to the year 1968.

Upon receipt of such application in substantially the above styled form, the Town Clerk, or his deputy, shall furnish the elector a ballot for the purpose of voting. Provided, however, where there is insufficient time for the elector to return the application, receive and vote his ballot, and return the ballot to the Town Clerk by 5:00 P.M. of the day preceding an election, the Town Clerk may mail the application and ballot at the same time.

Section 9. ABSENTEE BALLOT-VOTING AND FILING. All absentee ballots shall be cast with the Town Clerk not later than 5:00 P.M., of the day preceding the day of election. Such ballots shall be retained by the Town 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 Town. 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-Councilman, and the other to the Town Clerk, both of whom shall transmit such returns to the Town Council at a meeting to be held at 12:00 o'clock Noon, on the day following such regular municipal election. The Town Clerk shall, not later than noon on 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 Town of Mexico Beach 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 67-1717, Laws of Florida, Acts of 1967.

Section 12. Any person elected to the office of Town Councilman or Mayor-Councilman 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 Town of Mexico Beach.

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

This Ordinance INTRODUCED at a regular meeting of the Town Council on the 1st day of October, 1968, and ADOPTED by the Town Council on the 1st day of October, 1968. as an emergency ordinance.

TOWN OF MEXICO BEACH, FLORIDA

*C. M. Parker*  
 \_\_\_\_\_  
 Mayor-Councilman

Attest:

*Mary A. Parley*  
 \_\_\_\_\_  
 Town Clerk

Section 6. CLERKS, INSPECTORS, APPOINTMENT, COMPENSATION.

The Town Council 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 Town Council, except that if the Town Council shall fail to appoint such Inspectors and Clerk at least two days before the date of such election, the Mayor may appoint them. The Town Council shall determine the compensation to be paid to said Inspectors and Clerk, and shall pay the same from the General Fund of the Town Treasury.

Section 7. NOTICE OF ELECTIONS. The Town Council shall announce any regular or special election, except run-off elections. The method of announcing said election shall be by posting said notice in three (3) public places in the Town of Mexico Beach, two of which shall be the Town Hall and Post Office, said notice to be posted not less than four weeks (4) prior to the election. Notice shall also be given by four (4) publications in a newspaper of general daily circulation in Bay County, Florida, for four (4) consecutive weeks, the first publication to be not less than four (4) weeks prior to said election.

Section 8. ABSENTEE BALLOT-APPLICATION; TIME; FORM.

Any elector who will be absent on the day of an election from the Town, or who is physically incapable of appearing at the polling place, may make application to the Town Clerk or his deputy, either in person or by mail, at any time during the ten days preceding the election upon a blank to be furnished by the Town 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 Town of Mexico Beach, Florida, will be unable to attend the polls in said Town on the day for holding \_\_\_\_\_

(designate which

\_\_\_\_\_ because:  
election)

(Check appropriate reason)

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

( ) I will be absent from the Town 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