

ORDINANCE NO. 614

AN EMERGENCY ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, CHANGING THE DATE OF THE TOWN'S ELECTION IN 2016 FROM THE SECOND TUESDAY OF MARCH TO MARCH 15, 2016, THE DATE OF THE PRESIDENTIAL PREFERENCE PRIMARY ELECTION DATE; PROVIDING FOR NEWSPAPER PUBLICATION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 584, as codified in Town Code Section 2-199, the annual elections for Town Commission are to be held generally on the second Tuesday of March; and

WHEREAS, Section 2-199 provides for an exception to the general election date for those years in which a presidential preference primary is being held allowing the Town Commission, in its discretion, to change the annual town election date to the date of the presidential preference primary date; and

WHEREAS, the presidential preference primary date being held in Florida in 2016 has been scheduled for March 15, 2016; and

WHEREAS, the Palm Beach County Supervisor of Elections informed all municipalities in Palm Beach County, including Ocean Ridge, that it would not be able to accommodate any local elections in February or March, 2016, unless those elections are held on the same date as the presidential preference primary election; and

WHEREAS, pursuant to its contract for election services with the Palm Beach County Supervisor of Elections and the direction of the Supervisor, the Town Commission decided to move its annual town election for 2016 to March 15, 2016; and

WHEREAS, the Town Commission has, to date, inadvertently not made the election date change by ordinance as provided for in Section 2-199; and

WHEREAS, the qualified candidates have paid their filing fees and taken all other actions necessary to and attendant to their candidacies for the Town Commission and continue to move forward accordingly; and

WHEREAS, there exist only two more regular Town Commission meetings before the March 15 election date, the second of which is only eight days before the election; and

WHEREAS, there exists an urgent need to formalize the Town Commission's decision to move the election date as required by Section 2-199 and the contract with the Supervisor of Elections and remove any procedural deficiencies and barriers to the holding of the town's election on the presidential preference primary date; and

WHEREAS, pursuant to Section 166.041(3)(b), Florida Statutes (2015), the Town Commission is authorized to, by a two-thirds majority vote, declare the need for and enact an emergency ordinance without requiring two readings and the other general ordinance procedural requirements set forth in Section 166.041(3)(a), Florida Statutes (2015); and

WHEREAS, the Town Commission declares that an emergency exists requiring the enactment of an emergency ordinance to allow the annual town election to proceed properly and within the requirements of the Town Charter, Town Code and contract with the Palm Beach County Supervisor of Elections.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Election Date Change. It is hereby declared that the annual town election date for its election of 2016 is hereby changed from the second Tuesday in March to the date of the presidential preference primary election date of March 15, 2016.

Section 3. Effective Date. This Ordinance shall become effective immediately upon adoption.

FINAL READING this 1st day of February, 2016.

Commissioner Bonfiglio offered the foregoing emergency Ordinance and moved its adoption. The motion was seconded by Commissioner Lucibella

and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
DR. LYNN ALLISON, Vice Mayor	<u>Yea</u>
GAIL ADAMS AASKOV, Commissioner	<u>Absent</u>
JAMES A. BONFIGLIO, Commissioner	<u>Yea</u>
RICHARD J. LUCIBELLA, Commissioner	<u>Yea</u>

The Mayor thereupon declared this Emergency Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, this 1st day of Feb., 2016.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____

GEOFFREY A. PUGH, MAYOR

ATTEST: _____

Tracey L. Stevens, Town Clerk