

TOWN OF INGLIS
SPECIAL MEETING
NOVEMBER 15, 2022
6:00 P.M.
INGLIS TOWN HALL COMMISSION ROOM
135 HIGHWAY 40 W
INGLIS, FL 34449

*****PLEASE SILENCE ALL CELLPHONES*****

Pledge of Allegiance Prayer

Roll Call

AGENDA

PUBLIC HEARING

1. **Ordinance # 08-22** Final reading and adoption. An Ordinance regarding Town of Inglis Election Dates to be read into record by Attorney Christopher Anderson
Documents: Ordinance #08-22

2. **Ordinance # 10-22** Second Reading and adoption. An ordinance regarding Town of Inglis General Election dates. To be read into record by Attorney Christopher Anderson.
Documents: Ordinance #10-22

Adjourn

ORDINANCE NO. 08-22

AN ORDINANCE OF THE TOWN OF INGLIS, FLORIDA, AMENDING ARTICLE I, SECTION 4 OF THE TOWN CHARTER; AMENDING ARTICLE V, SECTION 3 OF THE TOWN CHARTER; AMENDING SECTION 22-4 OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PRESERVATION OF OTHER ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS:

- A. The Town of Inglis, Florida (the "Town"), is a municipality organized and existing under the laws of the State of Florida;
- B. Section 166.031, Florida Statutes, provides for a methodology of Charter amendments, which normally require a referendum vote;
- C. Section 166.021, Florida Statutes, provides that an amendment changing the election dates and changing terms of office necessitated by such change in election dates may be accomplished without a referendum vote of the electors of the Town, and can instead be changed by ordinance;
- D. The present Town Charter provides that the Town's general election shall be held not more than three weeks, and not less than two weeks, before April 1st of each year;
- E. Upon recommendation from the Levy County Supervisor of Elections, other municipalities in Levy County have rescheduled their general elections to occur on the first Tuesday of April of each year;
- F. The Town Commission desires to amend its Charter and Code of Ordinances to also provide that its general election will occur on the first Tuesday of April of each year; and
- G. The Town Commission also desires to amend its Code of Ordinances to ensure that special elections provide sufficient notice to comply with State laws.

NOW THEREFORE BE IT ORDAINED by the Town Commission of the Town of Inglis, Florida as follows:

Section 1. The foregoing recitals are confirmed as being true and correct, and are hereby incorporated into this ordinance upon adoption.

Section 2. Article I, Section 4 of the Town Charter is hereby amended as follows with deleted words being shown as ~~5tffHek~~ and added words being shown as underlined:

Section 4. - Procedures for installation of new town commissioners following an election.

- (a) There shall be a meeting established on the second Tuesday of April ~~+~~ of each year, or if April 1 falls on a holiday or weekend, on the first day following April 1 that is not a holiday or weekend at 2:00 p.m. for the purpose of swearing in the new Commissioners and/or Mayor, and for the organization of the Commission for the coming year.
- (b) The Mayor, if an incumbent, or the President of the Commission, if an incumbent, and if neither is an incumbent, then the senior member of the *Commission* who is an incumbent, shall preside until the new Commissioners and/or Mayor are sworn in and a new President of the Commission is elected. If the Mayor and the President are up for election, a senior member of the Commission who is not up for election will be appointed in the March meeting to preside pursuant to this subsection.
- (c) Upon election of a President of the Commission, the President shall thereafter preside over the meeting and nominations and appointment by majority vote of the individual commissioners to be responsible for the direction of the activities of the following departments shall be carried out, to-wit:
- (1) Budget and Finance;
 - (2) Maintenance and Roads and Bridge;
 - (3) Police and Fire;
 - (4) Water Operations; and
 - (5) Health, Welfare, and Recreation.
- (d) The new Town Commission shall then determine what other appointments are necessary for other responsibilities, including representatives to other Boards and Committees may be necessary and said appointments shall then be made by like manner and majority vote.
- (e) All appointments shall be for a period of one year and shall expire on the second Tuesday in April ~~+~~ of the following year, subject to the powers of the Town Commission pursuant to Article IV, Section 2, of the Town Charter of the Town of Inglis.
- ~~(f)~~ This procedure shall take effect with the 1999 Town election.

Section 3. Article V, Section 3 of the Town Charter is hereby amended as follows, with deleted words being shown as ~~5tfti€k~~ and added words being shown as underlined:

The first General Municipal Election shall be held as elsewhere in this Act provided. Thereafter, the General Municipal Election shall be held not more than three (3) weeks.

and the first Tuesday of April of each year beginning with the Year 1956. No person shall be allowed to vote in an election who is not a qualified voter of Lebanon, and who has not resided in the Town for six (6) months immediately preceding such election. The Town Commission shall prescribe by Ordinance the method and manner of holding all elections in said Town, and shall provide when and how special elections shall be called and held, which are not provided by the terms of this Charter, and all elections shall be conducted substantially on the principal adopted for rate election insofar as there are no conflicts with the terms of this Charter.

Section 4. Section 22-4 of the Town Code of Ordinances is hereby amended as follows, with deleted words being shown as ~~5-t:ftrek~~ and added words being shown as underlined:

Sec. 22-4. - Elections.

- (a) There shall be a regular municipal election held each year *in* the town, with the mayor and two commissioners elected in each odd-numbered year, and three commissioners being elected in each even-numbered year. The election shall be held each year ~~on~~ on the first Tuesday of April of each year, with the exact date of each such election to be determined by the town commission no later than its regular commission meeting in December of the preceding year, provided that, if there is a tie which affects the election of the mayor or of the second commissioner *in* odd-numbered years or the third commissioner in even-numbered years a run-off election shall be held between the candidates tied for such position two weeks after the regular municipal election. Such decision shall be made by motion. The mayor shall, thereafter, proclaim the date of the election and of the run-off election if one be required and cause such proclamation to be posted in a conspicuous place within the town for at least two weeks prior to the date set for the holding of the election. Should the run-off election be necessary, the mayor shall issue a second proclamation verifying the date of the run-off election and naming the candidates who will compete in said election. Upon the completion of the run-off election, the candidate with the most votes will be sworn in as the new Commissioner at the town's next regular meeting.
- (b) Any town election, other than the regular municipal election, shall be known as a special municipal election and shall be called by the mayor and town commission for any purpose other than for that served by the regular municipal election, provided that any matter which might be presented at a special municipal election may be presented to the electors at a regular municipal election in the manner hereinafter provided for the calling of a special municipal election.
- (c) A special municipal election may be held for any purpose, and shall be provided for by the town commission by ordinance, which shall be passed in accordance with the requirements of § 166.041. The ordinance setting any special municipal election shall:
- (1) Set forth the purpose of the special municipal election, including the wording of any issue to be placed before the electors;

- (2) Set forth the date of the special municipal election, which date shall be at least 15 days ~~— Ran 30 days—~~ after the adoption of the ordinance, and shall allow for sufficient time to provide notice to the public and qualification of candidates as may be required by applicable law :
- (3) Require the issuance of a proclamation by the mayor which shall be posted, immediately after adoption, in a conspicuous place within the boundaries of the town.
- (d) The polls shall be open at the voting places at 7:00 a.m. on the date of the election, and shall be kept open until 7:00 p.m. of the same day, and the time shall be regulated by the customary time in standard use in the locality.
- (e) No person related as spouse, child, parent, brother, sister, or the spouse of parent, brother, or sister, to any candidate for the office of mayor or town commissioner or so related to any present mayor or town commissioner, whether said mayor or town commissioner is seeking re-election or not, shall sit on the election board of the town for any town election, either regular or special. This subsection (e) shall apply only to town elections, and shall have no effect upon any election board appointed or named by the county supervisor of elections.
- (f) The JOJO regular general municipal election to elect commissioners for the Town of Inglis, Florida, shall be held on March 9, JOJO.

Section 5. Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. Notwithstanding the foregoing, nothing set forth in this ordinance shall repeal any provisions of the Code of Ordinances of the Town of Inglis dealing with the subject matter hereof.

Section 7. This ordinance shall take effect upon approval by the Town Commission.

(SIGNATURES ON NEXT PAGE)

TOWN OF INGLIS

By: _____

Joyce Schwing
President, Town Commission

ATTEST:

By: _____

Cery Logman
Town Clerk

Approved as to form and legality:

By: _____

Christopher A. Anderson
Town Attorney

ORDINANCE NO. 10-22

AN ORDINANCE OF THE TOWN OF INGLIS, FLORIDA, AMENDING SECTION 22-5 OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PRESERVATION OF OTHER ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS:

- A. The Town of Inglis, Florida (the "Town"), is a municipality organized and existing under the laws of the State of Florida;
- B. Chapter 22 of the Town's Code of Ordinances governs the manner the Town holds public elections for its Town Commission and Mayor;
- C. Section 22-5 of the Town's Code of Ordinances currently provides that "[n]o later than its regular December meeting each year, the town commission shall establish a one-week qualifying period for candidates for any elective office of the town to be contested in the regular municipal election the following March";
- D. The Town Commission has recently amended its Code of Ordinances to provide that its general election will occur on the first Tuesday of April of each year;
- E. The Town Commission desires to amend Section 22-5 of the Town's Code of Ordinances to conform with the new general election date selected by the Town Commission; and
- F. The Town Commission also desires to amend its Code of Ordinances to provide a specific time for candidates to qualify for elections.

NOW THEREFORE BE IT ORDAINED by the Town Commission of the Town of Inglis, Florida as follows:

Section 1. The foregoing recitals are confirmed as being true and correct, and are hereby incorporated into this ordinance upon adoption.

Section 2. Section 22-5 of the Town Code of Ordinances is hereby amended as follows, with deleted words being shown as ~~struck~~ and added words being shown as underlined:

Sec. 22-5. - Candidates.

- (a) Any qualified elector of the town may qualify for any elective office of the town upon meeting the requirements of this section.

- (b) Candidates for any elective office of the town shall qualify by paying a fee of \$5.00, and by filing with the town clerk a written affidavit of intention to run for the office sought, which affidavit shall be substantially in the following form:

TO THE TOWN CLERK

INGLIS, FLORIDA

I DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I AM AT LEAST EIGHTEEN (18) YEARS OF AGE, THAT I AM A RESIDENT OF THE TOWN OF INGLIS, THAT I AM REGISTERED TO VOTE IN LEVY COUNTY, AND THAT I AM QUALIFIED TO VOTE AND HOLD OFFICE UNDER THE LAWS OF THE STATE OF FLORIDA AND OF THE TOWN OF INGLIS.

I DO HEREBY DECLARE AND FILE MY INTENTION TO RUN FOR THE OFFICE OF: _____

SIGNED: _____

DATE: _____

- (c) No later than its regular December meeting each year, the town commission shall establish a one-week qualifying period for candidates for any elective office of the town to be contested in the regular municipal election the following ~~March~~ April. The one-week qualifying period shall be from noon of the 71st day prior to the election and noon of the 67th day prior to the date of election. The mayor shall proclaim the dates of the qualifying period, which shall be posted in a conspicuous place within the town prior to and during the entire qualifying period.

Section 3. Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Notwithstanding the foregoing, nothing set forth in this ordinance shall repeal any provisions of the Code of Ordinances of the Town Inglis dealing with the subject matter hereof.

Section 5. This ordinance shall take effect upon approval by the Town Commission.

(SIGNATURES ON NEXT PAGE)

TOWN OF INGLIS

By: _____
Joyce Schwing
President, Town Commission

ATTEST:

By: _____
Cery Logeman
Town Clerk

Approved as to form and legality:

By: _____
Christopher A. Anderson
Town Attorney