

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF ORLANDO, FLORIDA BY AMENDING SECTION 2.01 "WHEN MAYOR AND COMMISSIONERS TO TAKE OFFICE" CHANGE THE DATE TO THE SECOND MONDAY IN JANUARY IMMEDIATELY FOLLOWING THE GENERAL AND RUN-OFF ELECTIONS; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, although the Florida Presidential Preference Primary ("PPP") traditionally had been held in March, for the Presidential election years 2008 and 2012, the Florida legislature set the dates for the Presidential Preference Primary election on January 19, 2008 and January 29, 2012, respectively.

WHEREAS, in response to the legislature changing the PPP dates, the City of Orlando changed its City Code provisions to create a permanent City general election date of the first Tuesday in April so that it would have a permanent date for its elections that was not impacted by the decisions of the state legislature.

WHEREAS, the Florida Legislature has moved Florida's 2016 Presidential Preference Primary to March 15, 2016.

WHEREAS, the Orange County Supervisor of Elections has expressed concerns about the City of Orlando and the 2016 PPP being held so close together due to an overlap in the absentee ballot period for the two elections, electors potentially voting in different precincts in the two races and general voter confusion which could result from the proximity of the two elections.

WHEREAS, in response to the Florida legislature's decision and to address the Supervisor of Election's issues, the City of Orlando is considering a companion ordinance to this

1 ordinance amending the City Code to move the City's General Election date to the first
2 Tuesday after the first Monday in November of the odd-numbered years.

3 WHEREAS, the current June 1st date of taking office corresponds to the current April
4 election date and this ordinance change corresponds to the election schedule proposed in
5 the companion ordinance amending Chapter 21 (Elections) of the City Code.

6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

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8 SECTION ONE: Section 2.01 is hereby amended to read as follows:

9 **Sec. 2.01. When Mayor and Commissioners to Take Office.**

10 The Mayor and City Commissioners hereinafter elected, as
11 provided by law, shall take office on the June second Monday in January
12 first which immediately follow~~ing~~^{sing} their election.

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14 SECTION TWO: If any section, subsection, sentence, clause, phrase, or portion of this
15 ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,
16 such portion shall be deemed a separate, distinct, and independent provision and such holding
17 shall not affect the validity of the remaining portion hereof.

18 SECTION THREE: This ordinance shall take effect immediately at 12:01 a.m. on the day
19 following the second reading and adoption.

20 ADVERTISED: _____, 2015.

21 READ FIRST TIME: _____, 2015.

22 READ SECOND TIME AND ADOPTED: _____, 2015.

23
24 _____
25 Mayor/Pro Tem _____

1 ATTEST:

2
3 _____
4 Alana C. Brenner, City Clerk

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6 APPROVED AS TO FORM AND LEGALITY
7 for the use and reliance of the
8 City of Orlando, Florida, only.
9 _____, 2015.

10 _____
11 Chief Assistant City Attorney
12 Orlando, Florida
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