

ARTICLE IX. ELECTIONS

Section 1. Date of elections.

General municipal elections shall be held the first Tuesday after the first Monday in November of every year in which elections are called for by this Charter. If more than two candidates qualify for office, a primary shall be held pursuant to State Election Laws. The two candidates receiving the highest number of votes in the primary election for a particular Council seat shall be declared candidates for said Council seat and run in the general municipal election. Councilmembers elected by these elections shall take office on the next regularly scheduled Council meeting following certification of the results of these elections.

(Ord. No. 1169-96 <sec> 1, 11-20-96; Ord. No. 1399-04 <sec> 2, 12-15-04; Ord. No. 1749-13<sec>1, 6-5-13)

Section 2. Election procedure.

The Council shall make all necessary arrangements for holding all City elections, and shall declare the result thereof. Inspectors and clerks of election shall be appointed by the Council, except that if the Council shall fail to appoint them at least two (2) days before the date of any election, the Mayor may appoint them. The Council shall issue a proclamation calling any general or special election, except as herein otherwise provided for, stating therein where the same shall be held and naming the different offices to be filled or questions to be decided, and shall cause the same to be published once a week for three (3) consecutive weeks immediately preceding the day of election in a newspaper published and having general circulation in the City, but no want of proclamation or publication shall defeat any general election of City officers herein specified.

(Ord. No. 1169-96 <sec> 1, 11-20-96)

Section 3. Canvass of returns.

The City's canvassing board shall consist of the Mayor, the City Manager and the City Clerk, who shall act as the chair. In the event any member of the canvassing board is unable to serve, is a candidate who has opposition in the election being canvassed, or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, such member shall be replaced by the Council with a person who is able to serve, is not a candidate, and is not an active participant in the election. The results of the voting, when ascertained, shall be certified and signed by the City Clerk and shall be delivered by the City Clerk to the canvassing board at a meeting to be held on the day following the election. At such meeting the canvassing board shall canvass the returns, and the result as shown by such returns shall be declared to be the result of election. The City Clerk shall, not later than noon of the second day after the canvassing board declares the result, furnish a certificate of election to each person shown to have been elected.

(Ord. No. 1169-96 <sec> 1, 11-20-96)

Section 4. Qualifications of candidates.

The name of any elector of the City shall be printed upon the general election ballot if there is filed with the City Clerk a petition in accordance with the following provisions, to wit:

- (a) Such petition shall state the name of each person whose name is presented for a place upon the ballot, and that he or she is a candidate for the office of Council for the City of Punta Gorda, Florida.
- (b) Such petition shall be signed by not less than twenty-five (25) but not more than fifty (50) of the registered electors who reside in the same district as the Councilmember to be qualified.
- (c) To the signatures of all petitions shall be attached an affidavit to the circulator thereof stating the number of signers thereto, that each person signed in his or her presence on the date mentioned, and that the signature is that of the person whose name it purports to be.
- (d) Such petition shall not be signed by any elector except during the established qualification period as set by State Election Laws.
- (e) The dates of qualifying shall be pursuant to State Election Laws.
- (f) All elections to the Office of Councilmember shall be on a nonpartisan basis without regard for or to designation of the political party affiliation of any candidate on any petition or ballot.

If a candidate is unopposed after qualifying ends, such candidate shall be deemed to have been elected as of the date of the election.

(Res. No. 807-85 <sec> 1, 10-16-85; Ord. No. 1169-96 <sec> 1, 11-20-96; Ord. No. 1399-04 <sec> 2, 12-15-04; Ord. No. 1749-13<sec>2, 6-5-13)

Section 5. Voting.

All candidates for Council shall be voted on by the electors of the City at large. Districts shall be numbered consecutively from one (1) through five (5) and any candidate for membership on the Council shall designate in the candidate's petition for a place on the ballot the district in which he or she resides. The candidate in each district who receives a majority of the total votes cast in all five (5) districts in the City shall be declared elected. In the event there shall be a tie in the general election, the election shall be decided by lot to be conducted publicly by the City Attorney.

(Res. No. 807-85 <sec> 1, 10-16-85; Ord. No. 1399-04 <sec> 2, 12-15-04; Ord. No. 1169-96 <sec> 1, 11-20-96)

Section 6. General election laws to apply.

All elections shall be conducted, except as otherwise specifically provided under this act, under the rules and conditions prescribed by law, and subject to the general election laws of the state. The Council is specifically authorized and empowered to provide for conducting all City elections on voting machines, provided however, that in the event voting machines shall be used, paper ballots as provided by law shall be furnished for absentee voting.

(Ord. No. 1169-96 <sec> 1, 11-20-96)