


## MEMORANDUM

TO: The Honorable Jeff Danner, Chair, and Members of City Council

FROM: Eva Andujar, City Clerk 

DATE: February 6, 2009

SUBJECT: Ordinance Amending Section 10-7 concerning the qualifying period

The Supervisor of Elections requires 60 days before primary and general elections to allow sufficient time to prepare, proof, process and mail overseas absentee ballots as a result of a recent change in F.S. 101.62. In order to meet this time frame, the attached ordinance amends our qualifying period to provide not more than eleven weeks and not less than nine weeks prior to the primary.

The change in qualifying period does not affect candidates' ability to qualify via the petition process (F.S. 99.095 requires that such petitions be submitted before noon on the 28<sup>th</sup> day preceding the qualifying period).

Administration recommends that Council conduct first reading of the attached ordinance and schedule the public hearing for March 5.

qualifyingdatesamendment.wpd  
Attachment

AN ORDINANCE AMENDING SECTION 10-7 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR THE TIME PERIOD IN WHICH A CANDIDATE FOR ELECTIVE OFFICE MUST FILE AN APPLICATION TO QUALIFY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the provisions of the general laws of the State of Florida generally govern all municipal elections, except in certain areas where they are governed by ordinance or City Charter; and

WHEREAS, Section 5.04(a) of the St. Petersburg City Charter provides that anyone seeking candidacy for nomination in the primary election must file an application with the City Clerk; and

WHEREAS, Section 5.04(a) of the St. Petersburg City Charter provides that the time period in which candidates must file an application shall be established by the City Council by ordinance.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Section 10-7(c) of the St. Petersburg City Code is hereby amended to read as follows:

(c) Any person seeking to become a candidate for nomination in the primary election in accordance with Section 5.04(a) of the City Charter shall file the an application and affidavit required by the such City Charter with the City Clerk not more than eleven (11) weeks and not less than nine (9) ~~eight~~ weeks before the date of such primary election. ~~Notwithstanding the foregoing, anyone seeking to become a candidate for nomination in the September 11, 2007 primary election shall file an application and affidavit with the City Clerk not more than eight weeks and not less than seven weeks before the date of such primary election.~~

Section Two. Words in underlined type are additions and words in ~~struck through~~ type are deletions to the existing St. Petersburg City Code.

Section Three. In the event this ordinance is approved by the City Council and is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the fifth business day after adoption. If the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, the ordinance shall take effect immediately upon filing such notice with the City Clerk. If the Mayor vetoes this ordinance in accordance with the City Charter, it shall not become effective unless the City Council overrides the veto in accordance with the City Charter. In the event of such override, this ordinance shall become effective immediately.

Approved as to form and content:

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City Attorney or designee

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