

**ORDINANCE 15-\_\_**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Charter of the Town of Cutler Bay (the “Town”), Florida Statutes and federal law set forth the proper procedures and guidelines for the conduct of elections; and

**WHEREAS**, it is necessary to establish the qualifying period for the municipal general election to be held in the Town on November 8, 2016 for the purpose of electing qualified candidates to fill the vacancies of Vice Mayor and Seat 2; and

**WHEREAS**, it is necessary to establish a run-off date, if required, to follow the November 8, 2016 Town election; and

**WHEREAS**, in accordance with Section 2.4 of the Town Charter, the Town may modify any aspect of the qualifying period for an election by ordinance if such modification is necessary in order to accommodate a request by the Miami-Dade County Supervisor of Elections office; and

**WHEREAS**, the Miami-Dade County Supervisor of Elections office has requested that the Town modify its qualifying period for the 2016 election and select the date on which to hold a run-off election in order to help facilitate the efficient and orderly conduct of that election.

**NOW THEREFORE, IT IS HEREBY ORDAINED BY MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1.** **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed.

**Section 2.** **Qualifying Period.** That the candidate qualifying period will begin at 12:00 p.m. (noon) on July 26, 2016 and end at 12:00 p.m. (noon) on August 12, 2016.

**Section 3.** **Run-off Election.** If it is necessary to hold a run-off election it shall be held on November ~~2229~~, 2016.

**Section 4.** **Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** **Conflict.** All sections or parts of sections of the code of ordinances, all ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this ordinance are repealed to the extent of such conflict.

**Section 6. Effective Date.** This ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this 17<sup>th</sup> day of June, 2015.

PASSED AND ADOPTED on second reading this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

\_\_\_\_\_  
JACQUELINE N. WILSON  
Interim Town Clerk

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE SOLE USE OF THE  
TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved By: \_\_\_\_\_  
Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_

Vice Mayor Ernest N. Sochin \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_

Council Member Sue Ellen Loyzelle \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_