

ORDINANCE NO. 19-__

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ESTABLISHING THE CANDIDATE QUALIFYING PERIOD FOR THE 2020 MUNICIPAL GENERAL ELECTION AND ESTABLISHING THE RUN-OFF DATE, IF NECESSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the “Town”) Charter, Florida Statutes, and federal law set forth the proper procedures and requirements 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 3, 2020 for the purpose of electing qualified candidates to fill the vacancies of Vice Mayor and Seat 2; 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 Town Council wishes to establish the candidate qualifying period for the November 3, 2020 Town election to begin at 12:00 p.m. (noon) on July 24, 2020 and end at 12:00 p.m. (noon) on August 7, 2020; and

WHEREAS, in accordance with the vote of the Town Council on January 16, 2019, the Town Council wishes to establish the Run-off date, if necessary, following the November 3, 2020 general election as December 1, 2020.

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

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

Section 2. **Qualifying Period.** That the candidate qualifying period for the November 3, 2020 Town election will begin at 12:00 p.m. (noon) on July 24, 2020 and end at 12:00 p.m. (noon) on August 7, 2020.

Section 3. **Run-off Election.** If it is necessary to hold a Run-off Election, the date for such Election shall be set for Tuesday, December 1, 2020.

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ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this ordinance are repealed to the extent of such conflict.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 16th day of October, 2019.

PASSED AND ADOPTED on second reading this ____ day of November, 2019.

TIM MEERBOTT
Mayor

Attest:

DEBRA E. EASTMAN, MMC
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

First Reading
Moved By: Council Member Coriat
Seconded By: Council Member Callahan

Second Reading

Moved By: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Robert “BJ” Duncan _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____