

ORDINANCE NO 2006-07-88

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 6, OF ORDINANCE NO. 2005-12-50, TO CHANGE THE DATE FOR THE CITY COUNCIL TO ADOPT AN ORDINANCE CALLING THE ELECTION, AMENDING SECTION 12 OF ORDINANCE NO. 2005-12-50 TO CHANGE THE DATE FOR THE INSTALLATION OF NEW OFFICERS, PROVIDING FOR ADOPTION OF REPRESENTATIONS, REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens previously adopted Ordinance No. 2005-12-50 ("Ordinance"), which established the processes for the City' elections, and

WHEREAS, the City Council deems it necessary and appropriate to amend Section 6 of the Ordinance to change the date for the City Council to adopt an Ordinance calling the election, and

WHEREAS, the City Council also deems it appropriate to amend Section 12 of the Ordinance to change the date for the installation new officers,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Section 6 of Ordinance No. 2005-12-50 is hereby amended as follows:

Section 6. **City Council Ordinance to provide election information; change of polling places.**

A. For the purpose of making proper provision for each municipal election held in the City, the City Council shall, no less than 30 days prior to the opening of adopt an ordinance setting forth:

- (1) The date upon which such election is to be held;
- (2) The purpose of such election,
- (3) The days and hours, prior to the date of such election, during which persons qualified to vote therein may register therefore;
- (4) The list of polling places in the several precincts;
- (5) The form of ballot to be used in such elections, prepared in compliance with all statutory requirements relating to the use of mechanical or other approved voting machines or devices.

B. The City Council shall further authorize and direct the City Clerk to give notice of the adoption of such Ordinance and of the provisions thereof hereinbefore prescribed, by and through the publication of an appropriate advertisement in a newspaper meeting the requirements set forth in §50.031, Florida Statutes, once a week for four consecutive weeks next preceding the day upon which such municipal election is to be held.

SECTION 3. AMENDMENT: Section 12 of Ordinance No. 2005-12-50 is hereby amended as follows:

Section 12. Installation of new officers.

The City Council shall meet at 12:00 noon on the first Monday after a general election, and in the event a run-off election is necessary, the City Council shall also meet at 12:00 noon on the first Monday after said run-off election, for the purpose of receiving the certificate of election results from the City Clerk. The City Council shall accept the results thereof by resolution and shall declare the new officers to be elected, at which time the City Clerk or any other person authorized by law to take oaths, shall administer the oath and the new officers shall be installed and shall enter upon the discharge of their duties. In the event a run-off election is necessary, the new officer(s) shall be declared elected subsequent to canvass of election returns on the day after said run-off election, at which time the City Clerk, or any other person authorized by law to take oaths, shall administer the oath, and the new officers shall be installed and shall enter upon the discharge of their duties.

SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

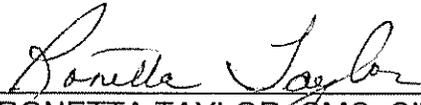
SECTION 6. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 12th DAY OF APRIL, 2006.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 26TH DAY OF APRIL, 2006.

ATTEST:



RONETTA TAYLOR, CMC, CITY CLERK



SHIRLEY GIBSON, MAYOR

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: Shirley Gibson, Mayor

MOVED BY: Councilman Campbell
SECONDED BY: Councilman Harvard

VOTE: 6-0

Mayor Shirley Gibson	<u> </u> (Yes)	<u> </u> (No)	Out of town
Vice Mayor Oscar Braynon II	<u>x</u> (Yes)	<u> </u> (No)	
Councilman Melvin L. Bratton	<u>x</u> (Yes)	<u> </u> (No)	
Councilman Aaron Campbell Jr	<u>x</u> (Yes)	<u> </u> (No)	
Councilman Ulysses Harvard	<u>x</u> (Yes)	<u> </u> (No)	
Councilwoman Sharon Pritchett	<u>x</u> (Yes)	<u> </u> (No)	
Councilwoman Barbara Watson	<u>x</u> (Yes)	<u> </u> (No)	

SKD/bfc

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