

ARTICLE V. - ELECTIONS

Section 5.01. - Time for elections.

- (A) An election for the office of city commissioner shall be held every even numbered year on the date established by ordinance so as to coincide with any regular or special federal, state or county election to be held in the city, provided two (2) or more candidates have become qualified for one or more positions on the city commission to be filled as herein provided. Should any candidate receive a clear majority of all votes cast, he shall be declared regularly elected. If no candidate receives a clear majority of all votes cast, the two (2) candidates for each place to be filled who received the highest number of votes in said election shall be certified as the candidates at a runoff election.
- (B) The runoff election shall be held each year on the date established by ordinance so as to coincide with any regular or special federal, state or county election to be held in the city unless all candidates shall have received a clear majority of all votes cast, or were unopposed in the election, shall be declared elected. In the event of a tie between two (2) candidates, one shall be elected as provided by ordinance.
- (C) The city commission may, by resolution, schedule any municipal election, on dates which coincide with national, state or county elections, even though such date or dates may be on a date other than as prescribed hereinabove.

(Ord. No. 2004-06, 6-14-04)

Section 5.02. - Conduct of elections.

Except as otherwise provided by this Amended Charter, the provisions of the general election laws of the State of Florida shall apply to elections held under this Amended Charter. All elections provided for by this Amended Charter shall be conducted by the election authorities established by law. For the conduct of municipal elections, for the prevention of fraud in such elections, and for the recount of ballots in case of doubt or fraud, the city commission may adopt by ordinance all regulations which it considers desirable, consistent with law and this Amended Charter, and the election authorities may adopt, and, if they adopt shall publicize, further regulations consistent with law, this Amended Charter and the regulations of the city commission.

(Ord. No. 2004-06, 6-14-04)

Section 5.03. - Qualifications of electors (voters).

Every citizen of the United States who has attained the age of eighteen (18) years, and who is a permanent resident of Florida and of Hardee County and of the City of Wauchula, shall be deemed a qualified elector and shall be authorized to vote in municipal elections in the City of Wauchula. In addition, in order to be a qualified elector the citizen shall have registered to vote with the supervisor of elections in Hardee County, Florida, and shall be listed with the supervisor of elections as a resident of the City of Wauchula.

(Ord. No. 2004-06, 6-14-04)

Section 5.04. - Nonpartisan; at large elections.

- (A) All qualifications and elections for the office of city commission members shall be conducted on a nonpartisan basis without regard for or designation of political party affiliation of any nominee on any nomination petition or ballot.

(B) All candidates shall be voted on at large throughout the city.

(Ord. No. 2004-06, 6-14-04)

Section 5.05. - Nomination and qualifications of candidates.

- (A) Candidates for the office of city commissioner shall qualify for such office by the filing of a written notice of candidacy with the city clerk at such time and in such manner as may be prescribed by ordinance.
- (B) Candidates for the city commission, when qualifying, shall designate the district seat number for which they are candidates. Candidates shall be designated by district seat number on the ballot at the election and any runoff election.
- (C) Qualifications for candidates for the office of city commissioner shall be as provided by this Amended Charter, except that qualification for single (1) member district seats one (1), three (3), and five (5) inclusive, shall have an additional requirement that each candidate shall reside and continue to reside during the term of his or her office within the boundaries of such district and all candidates for single member district seat shall have resided within that district for a period of one year prior to filing as candidate for election for such district. Candidates for city commission district seat numbers two (2) and four (4), the citywide district seats, in addition to all the other requirements provided elsewhere herein, must be residents of the City of Wauchula for a period of one year prior to filing as candidate for election.

(Ord. No. 2004-06, 6-14-04; Ord. No. 2016-12, § 2, 8-8-16)

Section 5.06. - Commission seats.

Candidates for the office of city commissioner shall qualify for and be elected by seat numbers designated one (1) through five (5). Three (3) members shall be known as district commission members and they shall be qualified electors of and reside within their respective two (2) member districts. The remaining two (2) members shall each be a qualified elector and resident of the city, but need not reside in any particular district. All candidates for city commissioner shall be elected by the voters of the city at large. Each city commission member shall be elected to serve for four (4) year terms.

(Ord. No. 2004-06, 6-14-04; Ord. No. 2016-12, § 2, 8-8-16)

Section 5.07. - Taking office.

Newly elected city officials shall take office at the first regular city commission meeting after their election has been certified. such certification must be made within five (5) days after the election.

(Ord. No. 2004-06, 6-14-04)

Section 5.08. - Recall.

The qualified voters of the city shall have the power to recall and to remove from office any elected official of the municipality as provided by general law, or by the provisions of this Amended Charter.

(Ord. No. 2004-06, 6-14-04)

Section 5.09. - Commission districts; adjustment of districts.

There shall be three (3) city commission single member districts composed of the geographical areas included within the corporate boundaries of the city described as follows:

- (A) *Commission District Seat One (1)*: The district comprising city commission district seat one (1) shall be the land territory within the perimeter boundaries hereinafter described: all land East of US Highway #17, the Southbound artery also known as 6th Avenue.
- (B) *Commission District Seat Three (3)*: The district comprising city commission district seat three (3) shall be the land territory within the perimeter boundaries hereinafter described: all land West of US Highway #17, the Southbound artery also known as 6th Avenue, and North of West Main Street.
- (C) *Commission District Seat Five (5)*: The district comprising city commission district seat five (5) shall be the land territory within the perimeter boundaries hereinafter described: all land West of US Highway #17, the Southbound artery also known as 6th Avenue, and South of West Main Street.
- (D) *Commission District Seat Two (2)*: The district comprising city commission district seat two (2) shall be the land territory within the perimeter boundaries hereinafter described: all land within the corporate limits of the City of Wauchula, Florida.
- (E) *Commission District Seat Four (4)*: The district comprising city commission district seat four (4) shall be the land territory within the perimeter boundaries hereinafter described: all land within the corporate limits of the City of Wauchula, Florida.

The city commission is hereby authorized to reset, alter, or amend said district boundaries, by ordinance, as may be required from time to time, and in order to effectuate the intent of this ordinance in establishing fair and equitable representation of the electors on the city commission. An official map of said boundaries, depicting these voting districts, shall be kept in the office of the city clerk for inspection by the public.

(Ord. No. 2004-06, 6-14-04; Ord. No. 2010-05, § 1, 8-9-10; Ord. No. 2016-12, § 2, 8-8-16)