

ORDINANCE NO. 80

AN ORDINANCE PROVIDING AND CALLING FOR A SPECIAL ELECTION OF QUALIFIED ELECTORS RESIDING IN THE CITY OF PORT ST. JOE TO BE HELD ON MAY 11, 1976, ON AN AMENDMENT TO THE CHARTER OF THE CITY OF PORT ST. JOE, FLORIDA, SECTION 13, TERMS OF OFFICE OF CITY COMMISSIONERS; PROVIDING THAT TERMS OF CITY COMMISSIONERS SHALL BE FOUR YEARS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

Section 1. *Authority of this Ordinance.* This Ordinance is adopted pursuant to the City Charter of the City of Port St. Joe, as amended, and other applicable provisions of law.

Section 2. *Special Election.* A special election of bona fide electors residing in the City is hereby called to be held on Tuesday, May 11, 1976, to consider and vote on the following question:

Shall Section 13 of Article II, as amended, the same being the Charter of the City of Port St. Joe, be amended to read:

"The first election under this Charter shall be held the second Tuesday in May, 1977, and every other year thereafter; a mayor-commissioner and two commissioners shall be elected at this first election. The mayor-commissioner, commissioner Group 1 and Commissioner Group 2 shall be elected at this first election for a term of three (3) years, or until their successors are duly elected and qualified; the present mayor-commissioner, commissioner Group 1 and commissioner Group 2 shall serve in their respective offices until their successors are duly elected and qualified, after the May, 1977, election. Thereafter, the mayor-commissioner, commissioner Group 1 and commissioner Group 2 shall be elected to terms of four (4) years beginning with the election in 1980; commissioner Group 3 and commissioner Group 4, heretofore elected and whose terms do not expire until May, 1978, shall serve until their respective successors are elected and qualified, after the May, 1978, elections. Thereafter, the term of Commissioner Group 3 and Commissioner Group 4 shall be for four (4) years."

All qualified electors residing in the City shall be entitled and permitted to vote in the special election. Polls will be open in the voting places from 7:00 o'clock A.M. until 7:00 o'clock P.M. the same day.

Section 3. *Polling Places.* The inspectors and clerks for the polling places for the special election and the location of the polling places shall be determined by subsequent resolution or proclamation of the City Commission.

Section 4. *Official Ballot.* Voting machines shall be used at such special election and the form of ballot to be used shall be in substantially the following form:

Official Ballot, City of Port St. Joe.  
Special Election, May 11, 1976.

Proposition #1: Shall Section 13, Article II, be amended to read:

"The first election under this Charter shall be held the second Tuesday in May, 1977, and every other year thereafter; a mayor-commissioner and two commissioners shall be elected at this first election. The mayor-commissioner, commissioner Group 1 and commissioner Group 2 shall be elected at this first election for a term of three (3) years, or until their successors are duly elected and qualified; the present mayor-commissioner, commissioner Group 1 and commissioner Group 2 shall serve in their respective offices until their successors are duly elected and qualified, after the May, 1977, election. Thereafter, the mayor commissioner, commissioner Group 1 and commissioner Group 2 shall be elected to terms of four (4) years beginning with the election in 1980; commissioner Group 3 and commissioner Group 4, heretofore elected and whose terms do not expire until May, 1978, shall serve until their respective successors are elected and qualified, after the May, 1978, elections. Thereafter, the term of commissioner Group 3 and commissioner Group 4 shall be for four (4) years."

Instruction to Voters: Indicate by pulling down lever for "For Approval of Amendment" if in favor of amendment of said Charter. Indicate by pulling down lever over "Against Provisions of Amendment" if you do not favor the amendment to the said Charter.

Section 5. *Absentee Voting.* Paper ballots shall be used at such election for absentee voting. The form of ballot to be used in the election for absentee voters shall be substantially the form printed in Section 4 above, except that instructions to voters shall be as follows:

If you are in favor of the amendment, place a X in the space provided by the words "In favor of the amendment", or place a X in the space provided by the words "Against the Provisions of the Amendment" if you are not in favor of the amendment.

Section 6. *Printing of the Ballots.* The City Auditor and Clerk, is authorized and directed to have printed on plain white paper a sufficient number of the aforesaid ballots for use of absentee voters, entitled, "To Cast such Ballots in such Special Election", and shall also have printed sample ballots, and deliver them to the inspectors and clerks on or before the day and time for the opening of the polls for such election, for the voting places at which voting machines are to be used; and further is authorized and directed to make appropriate arrangements for use of such voting machines at the polling places specified herein and to have printed on

plain white paper and delivered in accordance with the law the official ballots for use in such voting machines.

Section 7. Election Procedure. The special election shall be held and conducted in the manner prescribed by law for holding general elections in the City, including preparation and filing of returns of such election by the inspectors and clerks. Returns shall be canvassed by the City Commission at 12 o'clock noon the day following the election.

Section 8. Election Results. If the majority of the votes cast at such election in respect to the proposition shall be "yes" votes or "for approval of amendment" such proposition shall be approved and the applicable provisions of the Charter of the City of Port St. Joe be amended accordingly. A rejection at such election shall nullify the effects of this Ordinance.

Section 9. Notice of Special Election. The City Auditor and Clerk is hereby directed to publish a Notice of this election in the STAR, a newspaper published within the City of Port St. Joe, with said notice including the time, date and substance of the proposed change, for at least once a week for four (4) weeks with the first publication not less than thirty (30) days prior to the election.

Section 10. Repealing Clause. All Ordinances in conflict or inconsistent herewith are hereby repealed insofar as there is conflict or inconsistency.

PASSED UPON THE FIRST READING BY THE CITY COMMISSION APRIL 6, 1976, AND PASSED AS AN EMERGENCY ORDINANCE.

Section 11. Effective Date. This Ordinance shall become effective immediately upon adoption.

CITY COMMISSION, CITY OF PORT ST. JOE

/s/ Frank Pate  
Mayor-Commissioner

ATTEST:

/s/ C. W. Brock  
City Auditor and Clerk