

**ORDINANCE NO. 535**

**AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING THE TOWN CHARTER SECTION 2.01 CONCERNING DATE OF MUNICIPAL ELECTIONS; RATIFYING UNAMENDED PROVISIONS OF THE TOWN CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF BELLEAIR, FLORIDA:**

**SECTION 1. TOWN COMMISSION FINDINGS.** In adopting this Ordinance, the Town Commission of Belleair, Florida (“Town”), makes and expresses the following findings, purposes, and intent:

(1) Section 2.01(c) of the Town Charter entitled “Election and terms” sets the date of the municipal election to be held on the second Tuesday in March of the election year.

(2) Florida Statutes, subsection 100.3605(2) authorizes the Town Commission to change the dates for the election of members to the Town Commission and to provide for the orderly transition of office resulting from such date change.

(3) Pursuant to the Town Code of Ordinances, the Town contracts with the Pinellas County Supervisor of Elections to conduct, canvass, and return all elections.

(3) The Pinellas County Supervisor of Elections sets all county municipal elections to be held on the second Tuesday after the first Monday of March; and additional changes occur during Presidential Primary Preference years.

(4) This means the March election date established by the County Supervisor may not be consistent at all times with the Town Charter provision.

(5) The Town Commission seeks to maintain the intent of the Town Charter by continuing to hold elections in the month of March, while also complying with any fluctuating date of the Pinellas County Supervisor of Elections schedule and thus permit the Supervisor of Elections to conduct the Town’s elections concurrently.

**SECTION 2. AUTHORITY FOR THIS ORDINANCE.** This ordinance is enacted pursuant to Chapters 100 and 166, Florida Statutes, and other applicable provisions of law.

**SECTION 3. AMENDING SECTION 2.01(C) OF THE TOWN CHARTER.**

Section 2.01 (c) of the Charter entitled is amended to read in its entirety as follows:

- (c) *Election and terms.* The Town Commission shall by resolution order an election to be held on a Tuesday in March of each year in which the term of the mayor or commissioner expires. The mayor and commissioners shall hold office for a period of three (3) years from the first commission meeting next succeeding their election or until such time as their successors are elected and qualified.

**SECTION 4. RATIFYING UNAMENDED PROVISIONS IN THE TOWN CHARTER.** All unamended provisions in the Town Charter shall remain unchanged, ratified, and confirmed by this ordinance.

**SECTION 5. SEVERABILITY.** In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon final passage and adoption.

**PASSED ON FIRST READING:** *\*July 20, 2021*

**PASSED ON SECOND AND FINAL READING:** *\*August 3, 2021*

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**Mayor**

**ATTEST:**

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**Town Clerk**