

Chapter 7

ELECTIONS*

* **Editors Note:** Sections 3 and 5 of Ord. No. 627, adopted July 2, 1980 repealed former §§ 7-5, 7-6 and 7-9, relative to polling places; § 7-11, relative to procedures for annexation of land; and 7-12, relative to Charter referendums. Subsequently, Ord. No. 879, § 5, adopted Aug. 18, 1988, repealed §§ 7-4.1, relative to designation of polling places; 7-7, 7-8, 7-10, relative to paper, voting machine and absentee ballots; and 7-13, relative to write-in candidates. Such former §§ 7-9.1--7-13 derived from Sp. Acts, Ch. 59-1187, § 82, and the following ordinances:

Ord. No.	Section	Date
102	1	11- 3-60
107	4, 5	3- 2-61
273	1	1- 4-68
338	1	12-18-69
346	2, 3	2- 5-70
388	1--6	12-18-69
389	1(d)	2- 3-72

Ord. No.	Section	Date
431	1, 2	2-15-73
447	1	1- 3-74
474	1	2- 4-75
487	1	8- 7-75
627	4	7- 2-80
791	1	3-21-85

Cross References: Administration generally, Ch. 2.

Charter References: Nominations and election, Art. VIII.

State Law References: Electors and elections, F.S. Ch. 97 et seq.

Sec. 7-1. Candidates; filing fee; qualifying dates.

Any person who desires to become a candidate for the office of mayor-commissioner or city commissioner shall pay a qualifying fee of fifty dollars (\$50.00) to the city finance director at the time such person qualifies as a candidate for either of the offices. The qualifying period begins on noon of the sixty-eighth day prior to the day of the election, but no later than noon of the sixtieth day prior to the day of the election. The city clerk shall not permit any person to qualify as a candidate for either the office of mayor-commissioner or city commissioner until such person has paid the qualifying fee as provided herein.

(Ord. No. 104, § 1, 12-1-60; Ord. No. 388, § 4, 2-3-72; Ord. No. 879, § 1, 8-18-88; Ord. No. 1329, § 1, 3-21-02; Ord. No. 1341, § 1, 8-1-02)

Editors Note: Sections 7-1--7-4, previously §§ 7-7--7-10, were renumbered by Ord. No. 388, adopted Feb. 3, 1972, which ordinance had amended Ch. 7 in its entirety.

Sec. 7-2. Conduct of elections in general.

The provisions of the Constitution of the State of Florida, and the election laws of the State of Florida

pertaining to state and municipal elections; and relating to the qualifications of electors, registrations, transfer of electors, manner of voting, duties of the election board, canvassing of returns and all other matters pertaining to the management of the election as agreed to by contract with the supervisor of elections for Brevard County, Florida, shall govern the holding of such elections except as otherwise provided in this chapter or in the charter of the city.

(Ord. No. 107, § 1, 3-2-61; Ord. No. 388, § 4, 2-3-72; Ord. No. 488, § 1, 8-7-75; Ord. No. 879, § 2, 8-18-88)

Note: See the editor's note following § 7-1.

Sec. 7-3. Election board--Appointment.

At least twenty (20) days before the day on which any municipal election shall be held within the city, the city commission shall, by resolution, name and designate an election board consisting of a clerk, a sheriff's deputy and inspectors of such election, to serve at each polling place within the city, who shall be known as the "election board." In the event that any person so named and designated shall refuse or be unable to serve in the election, a replacement will be appointed in accordance with the State Election Code, F.S. section 102.012 (8) and (9). The supervisor of elections shall conduct training classes for the election board for the purpose of instructing such persons in their duties and responsibilities. Each person named and designed [designated] as a member of the election board shall possess the following qualifications:

- (a) Shall be an elector within the city;
- (b) Shall not be a candidate for any office to be voted on in such election;
- (c) Shall not be the parent, grandparent, child, grandchild, brother, sister, uncle, aunt, niece, nephew, first cousin, husband or wife, either by blood or marriage, of any candidate for any office to be voted on in such election;
- (d) Shall not be an officer or employee of the city; and
- (e) Shall have a certificate of training issued by the supervisor of elections within two (2) years of the election.

(Ord. No. 107, § 2, 3-2-61; Ord. No. 220, § 1, 2-17-66; Ord. No. 245, § 1, 2-2-67; Ord. No. 388, §§ 2, 4, 2-3-72; Ord. No. 879, § 3, 8-18-88)

Note: See the editor's note following § 7-1.

Sec. 7-4. Same--Compensation.

Each member of the election board shall be paid for his services by the city in accordance with agreements signed between the supervisor of elections for Brevard County and the city. Each member will be compensated the same amount for the city elections as the county pays for their election board. In addition, each election board member shall be paid four dollars (\$4.00) for their attendance at the school of instruction.

(Ord. No. 107, § 3, 3-2-61; Ord. No. 346, § 1, 2-5-70; Ord. No. 388, § 4, 2-3-72; Ord. No. 730, § 1, 3-3-88; Ord. No. 800, § 1, 9-5-85; Ord. No. 879, § 4, 8-18-88)

Note: See the editor's note following § 7-1.