ORDINANCE NO. 12-01

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA AMENDING SECTION 2-31.1: REVISING THE QUALIFYING PERIODS FOR CANDIDATES; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 1.02 of the Marco Island City Charter empowers the city to adopt, amend, or repeal ordinances, resolutions and codes as may be required for the good governing of the city; and

WHEREAS, pursuant to Section 100.3605(2), Florida Statutes, municipalities are expressly authorized to revise the dates of council elections which are specified in municipal charters by the adoption of an ordinance, and to make corresponding changes to the qualifying period for candidates and the commencement of the term of elected officials, so as to assure an orderly transition of office resulting from such election date changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

Section 1. Qualifying

(1) The qualifying period for candidates shall begin at 8:00 a.m. on the ~~tenth~~ sixteenth Tuesday prior to the election and end at 5:00 p.m. on the ~~eighth~~ fourteenth Tuesday preceding the election.

Section 2. Incorporation, Conflict and Severability.

(1) It is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida.

(2) All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

(3) If any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid by a court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

Section 3. **Effective Date.**

This Ordinance shall take effect immediately upon adoption.

Passed in open and regular section through roll call vote by the City Council of the City of Marco Island, Florida, this 23rd day of January, 2012.

Attest:

Laura Litzan
City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: _____
Gerard M. Gibson, Chairman

Approved as to form and legal sufficiency:

Burt L. Saunders