

ORDINANCE NO. 8

AN ORDINANCE OF THE VILLAGE OF GOLF, IN PALM BEACH COUNTY, FLORIDA, CONCERNING ELECTIONS; DESCRIBING QUALIFICATIONS OF ELECTORS; PROVIDING FOR REGISTRATION OF ELECTORS; PROVIDING FOR QUALIFICATIONS AND SELECTION OF CANDIDATES; PROVIDING HOW CANDIDATES SHALL BE CERTIFIED; PROVIDING FOR A PROCLAMATION BY THE MAYOR OF ELECTIONS; PROVIDING FOR THE APPOINTMENT OF INSPECTORS AND CLERK; PROVIDING HOW BALLOTS SHALL BE PREPARED; PROVIDING FOR A VOTING LIST TO BE USED IN ELECTIONS; PROVIDING FOR THE CONDUCT OF ELECTIONS; PRESCRIBING THE DUTIES OF THE VILLAGE COUNCIL AS A CANVASSING BOARD; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; REPEALING CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PRESCRIBING EFFECT OF ANY PORTION OF THIS ORDINANCE BEING VOIDED

BE IT ORDAINED By the Village Council of the Village of Golf, in Palm Beach County, Florida:

SECTION I

GENERAL ELECTIONS

A general municipal election by the qualified voters of the Village of Golf shall be held in the Village of Golf, in Palm Beach County, Florida, on the third Tuesday in March of 1961, and thereafter on the third Tuesday in March of each fourth year. At such general election there shall be selected by the qualified electors of said Village all elective officers of said Village provided by its charter to be elected because a term has expired, or for any other purpose provided for in the charter of said Village or in the laws of the State of Florida.

SECTION II

SPECIAL ELECTIONS

Special elections shall be held whenever necessary under the laws of the State of Florida or the provisions of the charter, and shall be called in the manner hereinafter provided.

SECTION III

QUALIFICATIONS OF ELECTORS

Any person who shall possess the qualifications essential to any elector under the general laws of the State of Florida governing elections, and who shall have resided within the territorial limits of said Village, for six months next preceeding the election, and shall have registered in accordance with the ordinance or ordinances of said Village, shall be entitled to vote at any municipal election of said Village, except in elections limited to qualified electors who are freeholders residing within said Village.

SECTION IV

ABSENTEE VOTING

Absentee voting shall be permitted in those cases provided by law, and shall be conducted in accordance with the provisions of the general election laws upon the subject, insofar as they apply to municipalities.

SECTION V

REGISTRATION OF ELECTORS

(a) The Village Clerk of the said Village shall be the registration officer of said Village and shall have all of the powers and shall perform all of the duties of registration officers under the election laws of the State of Florida insofar as they apply to municipalities.

(b) Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the Village of Golf, in Palm Beach County, Florida, may apply to the Village Clerk at the Club House of the Country Club of Florida, in said Village, for the purpose of being registered according to law, and it shall be the duty of said Village Clerk to register any such persons who may be found by him to possess the qualifications required by law for becoming a legal voter in said Village, in a book or books provided for such purpose; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be the legal registration book or books of said Village, and shall be used in all elections in said Village thereafter, until otherwise provided by law. Upon being so registered the Village Clerk shall issue to such person a Registration Certificate signed by him and sealed with the Village seal.

(c) The registration book or books of said Village shall be opened from the hours of 10 o'clock A. M. to 4 o'clock P.M. on the ten days next preceding any general or special election, Sundays excluded. The Village Clerk, with the approval of the Village Council, can designate an assistant or assistants to aid him in registration of voters.

(d) The Village Clerk shall post a written notice in the Club House of the Country Club of Florida in the Village of Golf prior to the time that the books will be open stating the time, place and hours when said book or books will be open for the purpose of registering voters.

(e) Before the polls open on the day of any special or general election, the Village Clerk shall revise and complete the registration book or books of said Village and shall eliminate therefrom the names of all persons who have died, removed from said Village, or who are otherwise disqualified to vote, and shall cause to be posted in the Club House a list of all qualified voters. Any person whose name has been erroneously or wrongfully stricken from said books may make known such facts to the Village Clerk as registration official of said Village and upon a proper showing that his name has been so wrongfully or erroneously stricken, it shall be the duty of said Village Clerk or the Village Council of said Village to restore such person's name to the registration book or books.

SECTION VI

QUALIFICATIONS AND SELECTION OF CANDIDATES

The selection of members of the Village Council shall be by groups to be known as Groups 1, 2, 3, 4 and 5. At the first general election to be held in March, 1961, the councilmen shall be elected to a four year term, and every four years thereafter councilmen shall be elected in said groups for a four year term. Any person who is an owner, either directly or as trustee, of real property in the Village of Golf, or an officer of a corporation owning real property situated in the Village of Golf, and twenty-one years of age, or older, may become a candidate for election to the office of councilmen by filing with the Village Clerk a written notice to such effect during the last ten days of February of the year of the election provided he pay a filing fee of \$1.00. Such notice shall state the number of the group in which he seeks to be elected, his place of residence, his age, and a brief description of the real property owned by him in the Village.

SECTION VII

DUTIES OF THE VILLAGE COUNCIL

At least ten days before the date of any election in said Village, the Town Council shall determine if the notices filed in accordance with the section immediately above are in order and if such proposed candidates be legally qualified and it shall certify by resolution the names to be placed on the official ballot for such election; shall issue its call for such election if the same be a special election; shall adopt the ballot for the election and prescribe its form, shall appoint its inspectors and clerk of said election; shall designate the date and hours when and place where such election will be held; and shall direct the Mayor of said Village to issue his proclamation of said election.

SECTION VIII

MAYOR'S PROCLAMATION

The Mayor of the Village shall give notice, by his written proclamation, of all elections to be held in said Village. Such proclamation shall state the purpose or purposes of such election, including the name of any offices to be filled, and the candidates therefor; the time, place and date of such election; and the official form of the ballot to be used. A copy of such proclamation shall be posted in the Clubhouse in the Country Club of Florida in the Village of Golf at least eight (8) days prior to such election.

SECTION IX

INSPECTORS AND CLERK

Three persons who are qualified electors of said Village shall be appointed to act as inspectors, one of whom shall be designated to act as clerk of such election. Such inspectors and such clerk shall take such oath, and perform such duties as are required of the laws of the State of Florida, to be taken and performed by inspectors and clerks of the State election and they shall have all of the powers and authority vested in inspectors and clerks of State elections, so far as such duties pertain to municipalities.

SECTION X

BALLOTS

(a) The Village Council shall, in ample time for any election, cause to be printed all ballots to be used in such election. The Village Council shall provide sufficient ballots for each registered qualified elector for the election, and shall prescribe the form thereof. The Village Council shall also have prepared all necessary forms for the oaths of the inspectors and the clerk of such election, and for the tabulation of the votes cast, and for the returns to be made of such election, and any other forms that may be necessary.

(b) The Village Council shall cause to be printed on the ballots to be used in any election herein provided for, the name of the office or offices to be filled, and under the name of such office or offices the names of all candidates for such office, alphabetically arranged, and the number of candidates to be voted for. There shall be a blank line along side each name of the candidate in which each elector may designate the candidate of his choice.

(c) The Village Council shall cause to be printed on all ballots to be used in any election for any purpose other than the election of elective officers, a concise statement of the proposition to be voted for, providing a place, plainly marked, where the voter may vote "Yes" if in favor of such proposition, and providing another space plainly marked in which the voter may vote "No" if opposed to such proposition so to be voted on. All ballots shall be so prepared that each voter shall have an opportunity to vote for or against any or all propositions indicated in the call for such election.

(d) The different forms of ballot above provided may be combined in one ballot where such election is for more than one purpose.

(e) In addition to the names printed on said ballots, and whether there be any names printed on said ballots or not, there shall be printed under each office to be voted for at the election blank lines in number equal to the number of persons who may be elected to fill that office.

(f) The Village Council through its Village Clerk, shall cause to be delivered to the clerk of the election the voting list, the ballots and all other necessary forms, and the ballot box, immediately prior to the opening of the polls on the day of the election.

SECTION XI

CONDUCT OF ELECTIONS

(a) VOTING PLACE: The Village Council shall provide a voting place in which there shall be a private booth or compartment in which electors may cast their ballots.

(b) CHALLENGES: When the right to vote of any person who demands to be permitted to vote is questioned by any elector, such challenge shall be communicated to the inspectors before the person is permitted to vote, and his right to vote shall be determined in accordance with the Charter of the Village of Golf.

(c) VOTING: Each elector, upon entering the polling place, shall be given one ballot by the inspectors. Before delivering the ballot to the elector, at least one of the inspectors shall write in his own hand his initials to the name of the elector on the voting list. On receiving the ballot, the elector shall forthwith and without leaving the polling place, retire alone to one of the booths or compartments provided for that purpose, and there prepare his ballot by marking, in the appropriate margin or place a cross mark (X) after the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice on the blank space provided therefor, and marking a cross mark (X) in the appropriate margin, and likewise by marking a cross mark (X) before the answer he desires in case of any other question submitted to a vote of the people.

(d) SPOILED BALLOTS: Any elector who shall, by accident or mistake, spoil a ballot, so that he can not conveniently or safely vote the same, may return it to the inspectors who shall immediately destroy, without examination, the ballot so returned, and shall give to the elector another ballot in lieu thereof, but in no case shall an elector be furnished with more than three ballots. In no case shall any person be permitted to carry a ballot outside of the polling room. A record shall be kept by the clerk of the election of all ballots destroyed, as herein provided for.

(e) MARKING MORE NAMES THAN PERSONS TO BE ELECTED. If the elector marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the elector's choice for any office to be filled, his ballot shall not be counted for such office; but this shall not vitiate the ballot, so far as properly marked; and nothing herein shall be construed to prevent any elector from voting for any qualified person other than those whose names are printed on the ballot.

(f) WHO MAY HAVE ASSISTANCE IN PREPARING BALLOT: Any elector applying to vote who by reason of blindness or the loss of the use of his hand or hands is unable to prepare his ballot, may have the assistance of the inspectors in the preparation of his ballot, who shall retire to a booth or compartment with the elector and there prepare the elector's ballot, so as to indicate the elector's declared choice of candidates as to each office to be filled without suggestion or interference from inspectors. But in all cases any elector before retiring to the booth as provided in this section may have one of the clerks of the election to read over to him the title of the offices to be filled and the candidates therefor. Before any elector applying for such assistance in the preparation of his ballot shall be required or permitted to declare his choice of candidates, all electors, including those in the booths or compartments, after voting shall be required to withdraw from the voting place.

(g) SECRET BALLOT: All elections, whether general or special, provided for in this ordinance, shall be by secret official ballots printed and distributed as provided in this ordinance, and no other ballots shall be received or counted in any election.

(h) CANVASS OF BALLOTS BY INSPECTORS AND CLERK. At the close of any election the inspectors and clerk shall immediately proceed to open the ballot box and in the presence of the public if there be any present who desire to witness said canvass, count the ballots therein and continue such count without adjournment or interruption until the same is completed. The ballots shall be first counted, and if the number of ballots shall exceed the number of persons who have voted, as may appear by the poll list kept by the clerk, the ballots shall be replaced in the box and one of the inspectors shall publicly draw out and destroy unopened and unexamined as many of such ballots as shall be equal to such excess. If two or more ballots shall be found folded together, so as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed, and if, upon comparison of the count, and the appearance of such ballots, a majority of the inspectors shall be of the opinion that the ballots thus folded together were voted by one person such ballots shall be destroyed, unopened and unexamined.

(i) WHO SHALL BE DECLARED TO BE ELECTED: In all elections for persons to fill an office, the candidate receiving a majority of the votes cast for such office, shall be declared elected to said office. In the event of a tie vote between candidates receiving the highest number of votes for any office, there shall be a run-off election as provided in the Charter of the Village of Golf.

(j) PROCLAMATION OF RESULT AND RETURNS: As soon as the canvass is completed, the result shall be publicly proclaimed. Duplicate certificates of the result of such canvass shall be drawn up by the inspectors or clerk, which shall contain in words, written at full length, the name of each person voted for for each office, and the number of votes cast for each person for such office, and if any question shall be submitted to an election, such certificate shall also contain the number of votes cast for and against such question; said certificates shall be signed in duplicate by the inspectors and clerk, and one of such certificates shall be by one of the inspectors delivered, without delay, securely sealed, to the clerk of said Village and the other shall be delivered, as hereinafter provided to the Village Council.

SECTION XII

DISPOSITION OF BALLOTS

The inspectors conducting such election shall seal up in the ballot box the remaining certificate above provided in Section XI, the poll list, the oaths of the inspectors and clerk, all ballots cast, and unused, all memoranda and papers of all kinds used by the inspectors and clerk in conducting such election, and the same shall be transmitted and delivered by the clerk of such election to the Village Clerk, and it shall be preserved by the Village Clerk, intact and unopened, and delivered to the Village Council when it sits as a canvassing board. And all of the contents of said ballot box shall be replaced by said Village Council after it sits as a canvassing board, to be preserved intact and thereafter unopened for thirty (30) days when such contents of said ballot box shall be destroyed.

SECTION XIII

CANVASS OF VOTE BY VILLAGE COUNCIL

(a) TIME: On or before the second day after any election may be held, the Village Council shall meet in the Club House of the Country Club of Florida in the Village of Golf, and they shall publicly proceed to canvass the vote given for the several offices and the persons voted for for each office and the number of votes cast for such office, and if any question was submitted to such election the number of votes cast for and against such question, and the result of such election as proclaimed as provided in Section XI hereof. In canvassing the returns of any election, the Village Council shall be governed by the same rules, regulations and requirements prescribed for canvassing boards of State elections of the State of Florida, in so far as the same are applicable to municipalities.

(b) ENTERED IN MINUTES: The Village Council of said Village shall at such meeting compile the results of said election as shown by said inspectors returns, and if the same be found to be genuine and correct, the same shall be entered in the minutes of the Village Council on such date, showing the whole number of votes given for each person for such office, and if any question was submitted to such election, the number of votes cast for and against such question. If such returns of such inspectors shall be shown or shall appear to be so irregular, false or fraudulent that the board shall be unable to determine the true vote for any such candidate or any question submitted to such election, said Village Council shall so certify and shall not include such returns in their determination, canvass and declaration.

SECTION XIV

PENALTIES

If any person whose duty it is to assist in the preparation for, or the holding or conduct of any election provided for herein be found guilty of the willful commission of fraud, corruption, misbehavior or any willful violation of any of the provisions of this ordinance or any election law of the State of Florida, while performing any of the duties described by this ordinance or such election laws of the State of Florida, he shall be fined not more than \$500.00 or imprisoned for a period of not exceeding ninety (90) days or both so fined and imprisoned.

SECTION XV

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION XVI

In case any section or portion of this ordinance be held to be unconstitutional, or in any manner illegal or void, it shall not affect the validity of the remaining sections or portions of this ordinance.

Introduced and read first time in full, January 18, 1961

Read second time, *February 17, 1961*

Passed and adopted on second reading, *February 17, 1905*

VILLAGE COUNCIL

By *Carlton Clark*
Mayor

Attest: *R. B. [illegible]*
Village Clerk