



Incorporated 1925

ORDINANCE

5570

1

2 AN ORDINANCE OF THE CITY OF BOCA RATON

3 AMENDING CHAPTER 6, "ELECTIONS," CODE OF

4 ORDINANCES, CONSISTENT WITH RECENT

5 AMENDMENTS TO THE CITY'S CHARTER; AMENDING

6 SECTION 6-16, "PROOF OF RESIDENCY," TO LENGTHEN

7 THE RESIDENCY REQUIREMENT APPLICABLE TO

8 CANDIDATES FOR THE OFFICE OF MAYOR OR COUNCIL

9 MEMBER FROM 30 DAYS TO ONE YEAR; AND

10 AMENDING SECTION 6-17, "FILING OF PETITION," TO

11 REVISE THE PROCEDURES/REQUIREMENTS RELATING

12 TO PETITION SIGNATURES IN SUPPORT OF A

13 CANDIDATE; PROVIDING FOR SEVERABILITY; PROVIDING

14 FOR REPEALER; PROVIDING FOR CODIFICATION;

15 PROVIDING AN EFFECTIVE DATE

16

17 WHEREAS, on September 9, 2020, the City Council adopted Ordinance No. 5539,

18 which proposed two City Charter amendments related to candidates for the offices of Mayor and

1 City Council Member and placed those measures on the ballot for the March 9, 2021 election;
2 and

3 WHEREAS, one such City Charter amendment proposed to lengthen the period of time
4 a prospective candidate must reside in the City from 30 days to one year prior to the first day of
5 the qualifying period, and to require candidates to submit proof of such residency in a form to be
6 prescribed by ordinance (the "Residency Amendment"); and

7 WHEREAS, at an election held on March 9, 2021, the electors adopted the Residency
8 Requirement, and, therefore, the City Council now desires to amend section 6-16, Code of
9 Ordinances, to reflect the new, longer, pre-qualifying residency period for candidates (i.e., to
10 replace "30 days" with "one year"); and

11 WHEREAS, the second City Charter amendment included in Ordinance No. 5539
12 proposed to eliminate the \$25 qualifying fee for candidates and instead require candidates submit
13 a petition bearing the signatures of 200 qualified electors of the City in support of their candidacy
14 (the "Signature Amendment"); and

15 WHEREAS, Ordinance No. 5539 also provided, in the event the Signature Amendment
16 was approved, for an amendment to section 6-17, Code of Ordinances, to create procedures for
17 collection, submission, and verification of voter signatures on the candidate petition; and

18 WHEREAS, at the election held on March 9, 2021, the electors also adopted the
19 Signature Amendment and, therefore, the City Council now desires to revise the procedures in
20 section 6-17 consistent with the recently adopted Charter amendments; now therefore

21
22 THE CITY OF BOCA RATON HEREBY ORDAINS:
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1 Section 1. Section 6-16, "Proof of residency," is hereby amended to read as follows:

2 Sec. 6-16. – Proof of residency.

3 All candidates for the office of city council member (including the office of mayor) shall,
4 at the time of qualifying, submit the following:

5 (1) An affidavit that provides the candidate's current address and affirms the candidate
6 has continuously resided in the city for at least ~~30 days~~ one year prior to the first day of the
7 qualifying period; and

8 (2) A true and correct copy of one or more of the following documents that, alone or
9 taken together, demonstrate the candidate was, and has continuously been, a resident of the city
10 for at least ~~30 days~~ one year prior to the first day of the qualifying period: voter's registration card,
11 driver's license or state-issued identification card, recorded deed or other title instrument, property
12 tax receipt, homestead exemption documentation, lease agreement, or a utility bill.

13 Section 2. Section 6-17, "Filing of petition," is hereby amended to read as follows:

14 Sec. 6-17. – Filing of petition.

15 The filing of the petition required by section 5.03 of the city charter to qualify as a
16 candidate for the office of city council member (including the office of mayor) shall be subject to
17 the following procedures and requirements:

18 (1) The petition in support of candidacy ~~required by section 5.03 of the city charter~~ shall
19 be on a form issued by the city clerk, which shall at a minimum include the name of the candidate,
20 the office (mayor or council member seat A, B, C or D) sought, and the date of the election. All
21 signatures need not be affixed to one paper, but all papers must be assembled as one instrument
22 for filing. Each signature must be executed in ink.

23 (2) Each paper of a petition shall contain, or have attached to it when filed, an affidavit
24 executed by the circulator thereof stating that the circulator personally circulated the paper, the
25 number of signatures thereon, that all the signatures were affixed in the circulator's presence, that
26 the circulator believes them to be the genuine signatures of the persons whose names they

1 purport to be, and that each signator had an opportunity before signing to read the petition
2 supporting the candidate's qualification.

3 (3) The petition, together with all signatures, shall be delivered by the city to the Palm
4 Beach County Supervisor of Elections for verification that each signator is, at the time of
5 verification, a qualified elector of the city. Only signators verified by the Supervisor of Elections
6 as qualified electors of the city shall be counted towards satisfying the qualification requirement
7 of the city charter. The city shall be responsible for the Supervisor of Election's' charges for such
8 verification.

9 (4) The city clerk shall accept completed petitions containing 200 or more signatures,
10 submitted contemporaneously with all other candidate qualification documents (and shall,
11 thereafter, accept supplemental petitions), beginning on the first day of the qualification qualifying
12 period and ending on the last day of the qualifying period. No petition or signature (whether the
13 initial petition or a supplemental petition) submitted to the city clerk after the end of the qualifying
14 period will be accepted or verified, nor in any event will the qualifying period be extended (or any
15 candidate granted additional time) to submit petition signatures. The city shall promptly forward
16 timely-submitted petitions (that have been submitted with completed qualification documents;
17 (and supplemental petitions after submission of completed qualification documents, if any) to the
18 Supervisor of Elections for verification of the signatures. The Supervisor of Elections' process for
19 verification of signatures need not be completed prior to the end of the qualification period;
20 ~~provided, however, no petition or signature obtained after the end of the qualification period will~~
21 ~~be accepted or verified.~~ In the event, ultimately, fewer than 200 of the signatures affixed to a
22 candidate's petition (and any supplemental petitions, if submitted) are verified by the Supervisor
23 of Elections as belonging to qualified electors of the city, such candidate will not have satisfied
24 the petition signature requirement of section 5.03 of the city charter and, therefore, will not be
25 included on the ballot.

1 Section 3. If any section, subsection, clause or provision of this ordinance is held
2 invalid, the remainder shall not be affected by such invalidity.

3 Section 4. All ordinances and resolutions, or parts of ordinances and resolutions, in
4 conflict herewith shall be and hereby are repealed.

5 Section 5. Codification in the Code of Ordinances is hereby authorized and directed.

6 Section 6. This ordinance shall take effect immediately upon adoption.

7 PASSED AND ADOPTED by the City Council of the City of Boca Raton this 13th day
8 of April, 2021.

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10 CITY OF BOCA RATON, FLORIDA

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12 ATTEST:

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14
15 Mary Siddons
16 Mary Siddons, City Clerk

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18 Scott Singer
19 Scott Singer, Mayor

20 Approved as to form:

21
22 Jeffrey Sheffel, for
23 Diana Grub Frieser
24 City Attorney

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26 O21405final41521

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COUNCIL MEMBERS	YES	NO	ABSTAINED
MAYOR SCOTT SINGER	✓		
DEPUTY MAYOR ANDREA LEVINE O'ROURKE	✓		
COUNCIL MEMBER YVETTE DRUCKER	✓		
COUNCIL MEMBER MONICA MAYOTTE	✓		
COUNCIL MEMBER ANDY THOMSON	✓		