

**ORDINANCE NO. 2023-05**

**A TEMPORARY ORDINANCE OF THE TOWN OF BELLEAIR SHORE, FLORIDA, AMENDING CHAPTER 14 – ELECTIONS, SECTION 14-8. – TIME FOR QUALIFYING, OF THE TOWN OF BELLEAIR SHORE CODE OF ORDINANCES, TO AMEND THE QUALIFYING PERIOD TO COINCIDE WITH THE REQUIRED DEADLINE FOR BALLOT LANGUAGE ESTABLISHED BY THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the Charter for the Town of Belleair Shore, Section 6.03, states that the time for qualifications and manner of election may be established by Ordinance of the Town Commission; and

**WHEREAS**, the Town of Belleair Shore Code of Ordinances, Section 14-4, enacted pursuant to Ordinance 99-03, and Section 14-8, enacted pursuant to Ordinance 2003-05, establish qualifying periods for the municipal election; and

**WHEREAS**, pursuant to Section 14-8, the time for qualifications for the March 19, 2024, election would run from December 10, 2023 through December 23, 2023; and

**WHEREAS**, the Pinellas County Supervisor of Elections has established a ballot language deadline of December 19, 2023, for items to appear on the March 19, 2024, ballot; and

**WHEREAS**, the Town Commission, in order to conduct a timely and cost-effective election on behalf of its citizens, desires to move the closing date for qualifications to coincide with the closing date for ballot language established by the Pinellas County Supervisor of Elections; and

**WHEREAS**, the Town is solely comprised of fifty-two (52) homes and only a residential zoning district without out any commercial or businesses within its jurisdiction; and

**WHEREAS**, there is no business or economic impact implications for the passage of this ordinance within the Town; and

**WHEREAS**, the Town Commission of the Town of Belleair Shore desires to adopt a temporary revision to its qualifying period for the 2023 Election cycle, and finds this temporary amendment to serve the financial interests, and the health, safety and welfare of the community;

**NOW THEREFORE, BE IT ORDAINED BY** the Town Commission of the Town of Belleair Shore, Florida, as follows:

**Section 1. :** All of the foregoing findings are true and correct, and shall be incorporated as if fully set forth herein.

**Section 2. :** The qualifying period for the March 19, 2024, election for the Town of Belleair Shore, Florida, shall open on December 10, 2023, at 9:00 A.M., and shall close at 4:00 P.M. on December 19, 2023. Candidate qualifying packets must be received within this time period to be placed on March 19, 2024, election ballot.

**Section 3.:** All other ordinances or resolutions which conflict wholly or in part with the provisions of this ordinance, are hereby repealed to extent of such conflict, effective the date this ordinance becomes effective.

**Section 4.:** If any section, subsection, sentence, clause or phrase of the Ordinance is determine for any reason to be illegal, invalid, or unconstitutional by a court or regulatory body of competent jurisdiction, then the offending provision shall be deemed severable, shall not affect the validity of the remaining portions hereof, and the remainder shall continue in full force and effect.

**Section 5.:** The effective date of this shall be immediately upon its passage in the manner provided by law, and shall terminate at midnight on March 19, 2024.

**UPON MOTION DULY MADE AND CARRIED,** the foregoing ordinance was approved upon the first reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**UPON MOTION DULY MADE AND CARRIED,** the foregoing ordinance was approved upon the second reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**TOWN OF BELLEAIR SHORE**

**ATTESTED BY:**

\_\_\_\_\_  
Mary Palmer  
Town Clerk

\_\_\_\_\_  
Robert Schmidt  
Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

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Regina A. Kardash, Esq. B.C.S.

Town Attorney