

ORDINANCE NO. 2621-05

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA AMENDING CHAPTER 42, ELECTIONS, OF
THE CODE OF ORDINANCES, BY ADDING A NEW
SECTION 42-5, EARLY VOTING OPT OUT; REPEALING
ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT HEREWITH; PROVIDING FOR
SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Legislature has adopted a revision to the Florida Statutes, Section 101.657, relating to Early Voting; and

WHEREAS, Section 100.3605, Florida Statutes, permits municipalities to opt out of State Election Laws not expressly applicable to municipalities; and

WHEREAS, the early voting requirements of Section 101.657, Florida Statutes, are not expressly applicable to municipalities and the City of Winter Park, therefore, may opt out of those requirements; and

WHEREAS, the City of Winter Park finds that it is in the best interest of its residents to "opt out" in accordance with Section 101.657, Florida Statutes;

NOW, THEREFORE, BE IT ENACTED by the people of the City of Winter Park, Florida as follows:

Section 1. Chapter 42 of the Code of Ordinances of the City of Winter Park is amended to add a new Section 42-5 to read as follows:

Sec. 42-5. Early voting opt out.


The city exercises its right to exempt itself from the provisions of Section 101.657, Florida Statutes, as to all municipal elections. The city commission shall retain the ability to conduct early voting or contract with the Orange County Supervisor of Elections to conduct early voting as and when the city commission determines early voting would be in the best interest of the city.

Section 2. All ordinances, resolutions or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 3. Should any portion of this ordinance be held invalid, all portions not declared invalid shall remain in full force and effect.

Section 4. This ordinance shall take effect immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the city commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 28th day of February, 2005.


Kenneth R. "Kip" Marchman, Mayor

Attest: 
Cynthia S. Bonham
City Clerk