

ORDINANCE 2024-12

AN ORDINANCE AMENDING SECTION 8.06 OF THE CHARTER OF THE CITY OF LAKE WALES BY PROVIDING FOR RUNOFF ELECTIONS; PROVIDING THAT IN THE EVENT A CANDIDATE FOR OFFICE, WHETHER FOR COMMISSIONER OR MAYOR, DOES NOT RECEIVE A MAJORITY OF BALLOTS CAST A RUNOFF ELECTION WILL THEN BE HELD AMONG THE TOP TWO CANDIDATES; AMENDING CHAPTER 8, LAKE WALES CODE OF ORDINANCES TO DESIGNATING A DATE FOR RUN-OFF ELECTIONS, AMENDING METHOD OF ELECTION TO COMMISSION SEATS, AND AMENDING METHOD FOR DETERMINATION OF RESULTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN ELECTION IN WHICH QUALIFIED ELECTORS OF THE CITY MAY VOTE FOR OR AGAINST THIS CHARTER AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1. The Charter of the City of Lake Wales is amended to read as follows:

ARTICLE VIII - ELECTIONS

Sec. 8.06. - Determination of election results.

(a) *Number of votes.* Every elector shall be entitled to vote for one candidate for each commission seat or the mayoral seat up for election. The candidate for each seat receiving the majority highest number of votes cast shall be declared elected. If no candidate for a particular seat receives a majority of the votes cast in a regular election, a run-off election between the two candidates receiving the largest number of votes for said seat shall be held in accordance with the Lake Wales Municipal Election Code.

(b) *Canvass of returns.* The polls shall open at 7:00 a.m. and shall close at 7:00 p.m. The canvass of returns shall be conducted in accordance with F.S. § 101.048. Results of the election shall be transmitted to the city commission at its next regular or special meeting and filed with the official records of the city.

SECTION 2. Chapter 8, Elections, Lake Wales Code of Ordinances, is amended to read as follows:

Sec. 8-18 Date of election

(c) If no candidate for the office of commissioner or the office of mayor receives a majority of the votes cast in the regular election, a runoff election between the two candidates receiving the largest number of votes for said seat shall be held four (4) weeks after the regular city election in accordance with the Lake Wales Municipal Election Code.

Sec 8-46 Determination of results.

(a) In an election to fill the office of commissioner, the candidate receiving a majority of the highest number of votes cast shall be declared elected. If none of the candidates for a commission seat receives a majority vote, the two (2) candidates receiving the highest number of votes cast shall be candidates in a runoff election to be scheduled in accordance with section 8-18(c).

(b) In an election to fill the office of mayor, the commissioner receiving a majority of the highest number of votes cast shall be declared elected. If none of the candidates for mayor receives a majority vote, the two (2) candidates receiving the highest number of votes cast shall be candidates in a runoff election to be scheduled in accordance with section 8-18(c).

SECTION 3: If any portion or portions of this ordinance are declared to be invalid, the remaining portions shall have the same force and effect as though such invalid portion or portions had not been included.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall not take effect unless approved by a majority of the qualified electors of the City of Lake Wales voting in an election to be called and held for that purpose on the 1st day of April, 2025.

The questions to be submitted to the voters shall read as follows:

<p style="text-align: center;">CHARTER AMENDMENT #1</p> <p style="text-align: center;">SEC. 8.06</p> <p style="text-align: center;">Run-off Elections</p> <p>This amendment provides that a candidate for mayor or commissioner receive a majority of votes to be elected. If no candidate receives a majority (more than 50%) of the votes cast, then a run-off election will be held.</p> <p>Question - Shall the above-described amendment be adopted?</p> <p style="text-align: center;">YES for Approval. <input type="checkbox"/></p> <p style="text-align: center;">NO against Approval <input type="checkbox"/></p>
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SECTION 6: If the amendments are approved by a majority of the electors voting in the election, then this ordinance shall become effective on May 1, 2025. The City Commission shall have the

amendments incorporated into the charter and shall file the revised charter with the Department of State in accordance with §166.031, F.S.

CERTIFIED AS TO PASSAGE this 21st day of May, 2024.



Mayor/Commissioner
City of Lake Wales

ATTEST:

City Clerk