

ORDINANCE NO. 257

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, PROVIDING FOR A GENERAL ELECTION IN SAID CITY, TO BE HELD ON THE THIRD TUESDAY IN DECEMBER, A. D., 1928, AND BIENNIALLY THEREAFTER, SETTING FORTH THE OFFICERS OF SAID CITY TO BE ELECTED AT SAID ELECTION AND PROVIDING THE TIME, PLACE AND MANNER OF HOLDING SUCH ELECTIONS; AND PROVIDING FOR A NEW REGISTRATION IN 1928.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA:

Section 1: That a general election for the filling of all City offices hereinafter named shall be held in the City of Miami Beach, Florida, on the third Tuesday in December, A. D., 1928, and at the same time every two years thereafter, at which time all officers of said City made elective under the City Charter shall be elected as follows:

One person to fill the office of Mayor.
Five persons as members of the City Council.

All such persons shall hold office for the term of two years and/or until their successors are regularly elected and qualified, except that the two councilmen who shall receive the highest number of votes at any election herein provided for shall hold office for the term of four years and/or until their successors are regularly elected and qualified.

Section 2: That such biennial election shall be known as the general election of the City of Miami Beach, Florida.

Amended by Ord. 267

Section 3: That any person who shall possess the qualifications requisite to an election at general state elections and shall have resided in the City of Miami Beach six months next preceding the general elections herein provided for, and shall have registered in the registration books of said City, as required by law, and shall have paid his or her poll taxes for the two years next preceding such election, as is provided by the laws of the State of Florida, providing the same were legally assessable against him or her, shall be a qualified elector of said City; provided, however, that in order to be a qualified elector at the general election to be held on the third Tuesday in December, 1928 such elector must register therefor in the registration books of said city between the date this ordinance becomes effective, and six days before the date of said election, all previous registrations being hereby declared null and void; and all elections held in said City shall be held and conducted substantially in accord with the provisions of the general election laws of the State of Florida, provided, however, that the City Council of said City shall perform all acts in relation to such general elections which by the State law is made the duty of the Board of County Commissioners, and provided further that no person under guardian, idiotic or insane, convicted of a felony, or of bribery, perjury or larceny, or of any infamous crime, or being interested

in any bet or wager, the result of which shall depend on any election, or of fighting a duel or of sending or knowing the carrying or accepting of a challenge to fight a duel, or being a second to either party to a duel and not restored to civil rights, shall be qualified to vote at any such general election.

Section 4: That the polling place for such general elections shall be at the City Hall in said City, unless otherwise especially provided for, and the City Council shall appoint and designate, in accord with Section 40 of the City Charter, three inspectors and one clerk of election for each such election, and thereupon the Mayor or acting Mayor shall issue his proclamation giving notice of such general election to be held in the City of Miami Beach, which proclamation shall contain a list of the officers to be voted for and the other questions to be voted upon; the place of voting; the time for opening and closing the polls and the names of the three inspectors and clerk of election appointed as herein provided, and such notice or proclamation shall be published once a week for a period of four consecutive weeks next preceding such election in a newspaper published in the City of Miami Beach, Florida, if there be one so published, and if not in some newspaper published in the City of Miami, Florida, and shall be posted for the same time in three conspicuous places in the City of Miami Beach, Florida, and the official ballot to be used at such general election shall be prepared by the City Council in the manner provided by the State law.

Section 5: That the said inspectors and clerk or the inspectors and clerk acting in their behalf shall immediately upon the closing of the polls proceed to count the votes cast at said election for each officer and the votes for and against each question therein submitted, and make out duplicate lists of the number of votes cast for each candidate at such election and the number of votes cast for and against each question voted upon, and certify the correctness of such duplicate lists, one of which shall be handed by one of said inspectors to the City Clerk of said City, and the other shall be placed in the ballot box, which shall be securely locked.

Section 6: That the City Council shall meet on the first Wednesday after such general election, or as soon thereafter as practicable, for the purpose of canvassing the returns of such election and ascertaining the result thereof, and installing new officers when they shall declare elected, at which time the new officers so installed shall enter upon the discharge of their duties as soon as they qualify, and at the same time, or as soon thereafter as practicable, the new City Council shall proceed to act upon and confirm or reject, by a majority vote of the members of the City Council present and actually voting, the different appointments to office made by the Mayor, as provided by the charter, and such appointments, unless suspended or removed in the manner provided by charter.

Section 7: That it shall be the duty of the City Council of said City to hold a meeting on the third Wednesday in November of each general election year to examine and revise the list of registered voters of said City and to erase therefrom the names of such as may have died or removed from the City, or who are otherwise disqualified to vote. Such examination and revision shall be completed as soon as practicable and immediately thereafter the City Council

shall cause to be posted one time at the City Hall, a list of all registered voters as they appear after such revision, together with a list of the names stricken from the registration books, all alphabetically arranged. Any person whose name shall have been improperly stricken from the registration books may have the same restored at any subsequent meeting of the City Council upon satisfactory proof that the same was improperly struck.

Amended by Ord. 262

Section 8: The City Clerk shall open and keep open the registration books of the City of Miami Beach at all times between ten o'clock A. M., and four o'clock P. M., Sundays, holidays and half holidays excepted, except for six days immediately preceding any general or special election, for the purpose of registering those who are qualified to register, but nothing herein provided shall prohibit him registering such persons at any other hour during the days when said books may be kept open in accord herewith, and he is hereby empowered and required to administer to all persons who may desire to register on oath that they are qualified to register and vote under the Constitution and Laws of the State of Florida and the charter of the City of Miami Beach, Florida, and no person shall be allowed to register without taking such oath.

Section 9: That Ordinance No. 228, passed and adopted October 21, 1925, and approved on the same day and all other ordinances and parts thereof in conflict with the provisions hereof be and the same are hereby repealed.

Section 10: That this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND ADOPTED this 18th day of July, A. D., 1928.

John H. Lee
President of City Council

ATTEST:

W. J. Tomlinson
City Clerk

APPROVED BY ME this 19th day of July, A. D., 1928.

W. J. Tomlinson
Mayor

1st Reading, July 11th, 1928.
2nd Reading, July 11th, 1928.
3rd Reading, July 18th, 1928.
Posted July 19th, 1928.

STATE OF FLORIDA)
COUNTY OF DADE)

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 257, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, PROVIDING FOR A GENERAL ELECTION IN SAID CITY, TO BE HELD ON THE THIRD TUESDAY IN DECEMBER, A. D., 1928, AND BIENNIALLY THEREAFTER, SETTING FORTH THE OFFICERS OF SAID CITY TO BE ELECTED AT SAID ELECTION AND PROVIDING THE TIME, PLACE AND MANNER OF HOLDING SUCH ELECTIONS; AND PROVIDING FOR A NEW REGISTRATION IN 1928," having been duly passed and adopted by the City Council of the City of Miami Beach, Florida, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 19th day of July, A. D., 1928, and that said ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Miami Beach on this the 21st day of August, A. D., 1928.



C. W. Tomlinson
City Clerk

(ORIGINAL)

ORDINANCE NO. 257

Providing for Election
and Registration.

25 July
1888