

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 35, "ELECTIONS AND RECALL," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 35.08, "ELECTRONIC REPORTING/PENALTIES," SECTION 35.09, "ELECTRONIC POSTING," AND SECTION 35.10, "TECHNICAL ASSISTANCE," TO REQUIRE ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS WITH THE CITY CLERK AS AUTHORIZED BY THE FLORIDA ELECTION CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 106, Florida Statutes, the City Commission of the City of Pompano Beach is authorized to impose electronic filing requirement for campaign finance reports required to be filed by each person, candidate, political committee, electioneering communications organization, or other individual or organization ; and

WHEREAS, the Broward County Supervisor of Elections is partnering with municipalities in providing a software to implement a County Candidate Financial Reporting Service, which technology will improve government efficiency while balancing transparency and security of the elections process; and

WHEREAS, the City Commission determines the implementation of a mandatory electronic filing for campaign finance reports serves this purpose; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 35.08, “Electronic Reporting/Penalties,” of Chapter 35, “Elections and Recall,” of the City of Pompano Beach Code of Ordinances is created to read as follows:

§35.08 ELECTRONIC REPORTING/PENALTIES.

(A) Candidates for the office of Mayor and Commissioner shall file their Campaign Treasurer Reports (required by Chapter 106, Florida Statutes) electronically with the City Clerk. The electronic filing shall be made through the use of the County Candidate Financial Reporting Service, as provided for by the Broward County Supervisor of Elections.

(1) Any failure to file reports on the designated due date shall subject the violator to those penalties set forth in said Chapter 106, Florida Statutes.

(2) The City Clerk shall determine the required format and related process for the campaign treasurer’s reports and shall provide copies upon request.

SECTION 2. That Section 35.09, “Electronic Posting,” of Chapter 35, “Elections and Recall,” of the City of Pompano Beach Code of Ordinances is created to read as follows:

§35.09 ELECTRONIC POSTING.

Campaign treasurer reports electronically filed pursuant to this section shall be posted on the city’s website by the City Clerk within three business days of any such report’s electronic filing date deadline.

SECTION 3. That Section 35.10, “Technical Assistance,” of Chapter 35, “Elections and Recall,” of the City of Pompano Beach Code of Ordinances is created to read as follows:

§35.10 TECHNICAL ASSISTANCE.

The City Clerk shall provide technical assistance to those subject to the electronic filing requirement set forth above. The City Commission may, by resolution, establish a schedule of fees for such technical assistance.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2020.

PASSED SECOND READING this _____ day of _____, 2020.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
12/10/19
L:ord/ch35/2020-85