1	ORDINANCE NO. 2024-001		
2 3 4 5 6 7 8 9	AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, CREATING SECTION 34.9, "CAMPAIGN FINANCE REPORTS," OF THE VILLAGE CODE OF ORDINANCES TO PROVIDE REGULATIONS FOR ELECTRONIC CAMPAIGN FINANCE REPORTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.		
L1 L2 L3	WHEREAS, the Village Commission of North Bay Village (the "Village") finds it necessary to periodically amend its Code of Ordinances ("Code") in order to update regulations and procedures to implement municipal goals and objectives; and		
L4 L5 L6	WHEREAS, Section 106.0705, Florida Statutes, requires all candidates for state offices to file their campaign treasurer reports electronically with the Department of State; and		
L7 L8 L9	WHEREAS, Section 12-17 of the Miami-Dade County Code requires certain candidates for County office to file their campaign treasurer reports electronically with the County's Department of Elections; and		
20 21	WHEREAS, the Village Commission desires to require electronic campaign finance reporting regulations similar to those adopted by the State and County; and		
22 23	WHEREAS , the Mayor and Commission find that this Ordinance is in the best interest of the public health, safety, and welfare of the Village's residents and visitors.		
24 25	NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:1		
26 27	Section 1. Recitals. That each of the above recitals are true and correct and incorporated herein by this reference.		
28 29	<u>Section 2.</u> <u>Creating Section 34.9 of the Code.</u> That Section 34.9 of the Code of Ordinances of North Bay Village, Florida, is hereby created as follows:		
30	CHAPTER 34 ELECTIONS		
31	[]		
32	§ 34.9 – Campaign Finance Reports.		
33 34	(A) Electronic Reporting. Candidates for Village Commission shall file their Campaign Treasurer's Reports electronically with the Office of the Village Clerk.		

¹ Coding: Strikethrough words are deletions to the existing words. <u>Underlined words</u> are additions to the existing words. Changes between first and second reading are indicated with double strikethrough and <u>double underline</u>.

- The Village Clerk shall determine the required format for the Campaign Treasurer's Reports. For purposes of this section, "Campaign Treasurer's Reports" shall mean the reports required of the campaign treasurers of candidates pursuant to Section 106.07, Florida Statutes, as amended.
- (B) Electronic Posting. Campaign Treasurer's Reports shall be posted on the Village's website by the Village Clerk within three (3) business days from the report due date.
- (C) Penalties. In addition to any other penalties which may be applicable, any individual who violates this section shall be subject to a fine up to fifty dollars (\$50.00) per day for the first three (3) days late and, thereafter, five hundred dollars (\$500.00) per day for each day late, not to exceed twenty-five (25) percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. If it is determined by a court which has jurisdiction over an alleged violation of the ordinance from which this section derives that unusual circumstances caused the Campaign Treasurer's Report to be filed late, no fine shall be imposed by the court. As used herein, "unusual circumstances" shall mean uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act according to the filing requirements. Unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the report from doing so in a timely manner.

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<u>Section 3.</u> <u>Severability.</u> That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

<u>Section 4.</u> <u>Codification.</u> That it is the intention of the Village Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village's Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

- **Section 5. Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.
- 70 <u>Section 6.</u> <u>Effective Date.</u> That this Ordinance shall become effective 11 immediately upon final adoption on second reading.
- **PASSED** on first reading on the <u>12th</u> day of <u>December</u>, 2023.
- PASSED AND ADOPTED on second reading on the <u>16th</u> day of <u>January</u>, 2024.

75 76 77 78 79 80 81		Brent Latham, Mayor
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84 85 86 87	ATTEST:	19
88	Alba L. Chang, CMC ()	
89	Village Clerk	
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94	APPROVED AS TO FORM AND LEGAL SUF	FICIENCY:
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96 97	Jaydeles	
98 99	Weiss Serota Helfman Cole & Bierman, PL	_
100	Village Attorney	
101	· maga / marriey	
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103	First Reading:	
104	Moved By: Commissioner Cuk	
105	Seconded By: Vice Mayor Chervony	
106	0 10 1	
107	Second Reading:	
108	Moved By: Vice Mayor Chervony	
109 110	Seconded By: Commissioner Cuk	
111	Vote on Final Adoption:	
112	Mayor Brent Latham Yes	
113	Vice Mayor Richard Chervony Yes	
114	Commissioner Goran Cuk Yes	
115	Commissioner Andrew Rotondaro Yes	
116	Commissioner Rachel Streitfeld Yes	

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