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THE CHARTER OF THE CITY OF ST. AUGUSTINE, FLORIDA

ST. JOHNS COUNTY

**Sec. 2.03. - Members of the city commission to be residents and electors; dual office-holding prohibition and ethics laws.**

Members of the commission of the City of St. Augustine, shall have maintained continuous physical residency and voter registration in the City of St. Augustine for a period of one (1) year prior to the date of qualification for election, or appointment to fill a vacancy on the city commission as a result of the death, resignation or disqualification of a city commissioner. Once elected or appointed, city commissioners must maintain continuous physical residency and voter registration in the City of St. Augustine throughout their terms of office. The prohibition against dual office-holding and the regulation of public ethics shall be as required pursuant to Florida law.

**Sec. 6.21. - Nomination of commissioners; petition required; regulations for petitioners; payment of qualification fee; groups.**

Candidates for the office of city commissioner shall be nominated at a nonpartisan primary election where there are more than two (2) persons nominated for each office to be filled as hereinafter provided. Any person possessing the qualifications set forth in this Charter shall be entitled to have his or her name printed upon the ballot at the primary election by written petition circulated by such candidate or on his or her behalf, signed by at least twenty-five (25) qualified electors of the City of St. Augustine, Florida. Each of said petitioning electors shall in all respects be qualified to vote in the ensuing general election to be held in the City of St. Augustine, Florida. Such written petition shall be filed with the appropriate filing officer no earlier than noon of the 71st day, and no later than noon of the 67th day, before the first primary election or the same will not be recognized. Each petitioner signing said petition shall add after his or her signature, his or her place of residence, including street and number, and voting precinct, and also the date of the signing of said petition. Each petitioner may subscribe to one nominating petition for each office to be filled and no more. All signatures shall be written in ink or indelible pencil or the same shall not be recognized. Each candidate so nominated shall, upon his or her acceptance of such nomination as provided in this Charter, pay to the qualifying officer at the time of qualifying the sum of twenty-five [dollars] (\$25.00) as his or her qualification fee. Candidates shall run in three (3) groups designated as Group One, Group Two and Group Three; and each voter may vote for one candidate in each group. The nominating petition of each candidate shall indicate the group in which his or her name is to appear on the ballot; that is to say, whether in Group One, Group Two, or Group Three; and unless so indicated, the petition shall be deemed a nullity. No candidate's name in any primary or general election shall be printed on the ballot if said candidate has notified the officer before whom the candidate qualified in writing, under oath, no later than noon the thirtieth day prior to the primary election, that he or she will not accept the nomination or office for which he or she filed qualification papers. The candidate who has withdrawn as a candidate for one group may qualify as a candidate for a different group, provided he or she complies with all the qualification procedures provided herein.

CITY OF ST. AUGUSTINE RESOLUTION 2019-21

**Resign to Serve Requirement:**

- A. A member of a City committee or board, shall resign from service on that committee or board prior to qualifying for any elected office of government, including the office of St. Augustine City Commissioner or Mayor. A currently serving member of an elected office of government may not apply for, or be nominated to, any committee or board of the City of St. Augustine, unless the member has resigned from that elected office.
- B. This prohibition shall not apply to the Mayor or City Commissioners acting in their official City capacity, either as a liaison or as an officer on another board or committee.
- C. These requirements are intended to address situations not already regulated pursuant to the State of Florida's resign to run or dual office holding regulations. Applicants to City of St. Augustine boards and committees who hold other appointed or elected office should familiarize themselves with State statutes to determine if their appointment would constitute dual office-holding or violate resign to run requirements, and whether their current agency prohibits the appointment, before applying for a City appointed position.
- D. The acceptance of an incompatible office by one already holding office operates as a resignation of the first. *Holley v. Adams*, 238 So. 2d 401 (Fla. 1970).

X

Signature of Candidate

Date

1/18/24