

**ORDINANCE CHANGING THE TERMS OF COUNCIL MEMBERS
AND TOWN CLERK-TREASURER AND ESTABLISHING
STAGGERED ELECTION TIMES WITHIN
THE TOWN OF LONG BEACH, INDIANA**

WHEREAS, all five (5) members of the Town Council and Clerk-Treasurer for the Town of Long Beach, Indiana are simultaneously up for election to four (4) year terms; and

WHEREAS, this pattern of elections on occasion has caused most, if not all, Town Council Members and the Clerk-Treasurer to be newly elected at the same time; and

WHEREAS, the complete turnover of elected officials has on occasion resulted in the lack of continuity of leadership for the citizens of the Town of Long Beach; and

WHEREAS, the Town Council has determined it is in the best interests of the citizens of the Town of Long Beach to have the terms of the members of the Town Council and the Clerk-Treasurer staggered to provide for the overlapping of terms of experienced elected officials; and

WHEREAS, pursuant and subject to IC § 3-10-7-2.9, the Town Council may adopt an ordinance providing for the contemplated staggered elections,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Long Beach, Indiana, that in order to adopt the changes to the Town Code necessary to effectuate the implementation of staggered terms for the Town Council Members and Town Clerk-Treasurer in accordance with applicable Indiana election law, Title III, Chapter 30, Sections 30.02 and 30.04 and Chapter 31, Section 31.41, are repealed and completely replaced by the following provisions:

I. Title III, Chapter 30:

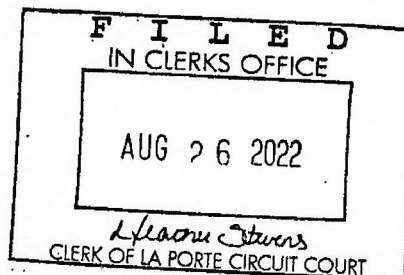
§ 30.02 TERMS OF TOWN COUNCIL MEMBERS.

(A). The current Town Council Members shall continue to serve in such capacity until the respective terms expire on January 1, 2024.

(B). Implementation of Staggered Terms.

(1). An election for all five (5) Town Council positions shall be held during the municipal election to be held on the first Tuesday following the first Monday in November, 2023.

(a). Town Council Members elected to office in the November 2023, election shall serve a term of one (1) year commencing on January 1, 2024, and expiring on January 1, 2025.



(2). An election for all five (5) Town Council positions shall be held during the general election on the first Tuesday following the first Monday in November, 2024.

(a). The two (2) Town Council Members elected and receiving the most votes in the November 2024, general election shall serve four (4) year terms commencing on January 1, 2025.

(b). The remaining three (3) Town Council Members elected in the November 2024, general election shall serve two (2) year terms commencing on January 1, 2025.

(C). For elections after the full implementation of staggered election cycles as provided in Subsection (B), above, each duly elected Town Council Member shall serve a term of four (4) years.

(D) In the event that a Town Council Member shall, for any reason, become disqualified or otherwise unable to complete the four (4) year term to which the Member was elected, a successor shall be selected according to applicable Indiana election laws to complete the unexpired four (4) year term.

2. Title III, Chapter 30:

§ 30.04 ELECTION.

(A). The Town Council shall consist of five (5) individuals duly nominated and elected pursuant to Sections 12.01, 30.02, and 30.04, of the Town Code and applicable State election laws.

(B). Each Town Council Member shall be elected at large by all the voters of the Town.

(C). Except as otherwise provided in Section 30.02 (B) of the Town Code, elections for Town Council Members shall be in even years on the first Tuesday after the first Monday in November, with three (3) Town Council Members being elected in municipal elections beginning November 2026, and two (2) Town Council Members being elected in general elections beginning November, 2028.

3. Title III, Chapter 31:

§ 31.41 TERM.

(A). The Clerk-Treasurer shall continue to serve in such capacity until expiration of the current term on January 1, 2024.

(B). Implementation of Staggered and Subsequent Terms. The following provisions shall govern the implementation of the Town's policy to have staggered terms for Town

Council Members, as provided in Section 30.02 of the Town Code, and the Clerk-Treasurer:

(1). An election for Clerk-Treasurer shall be held during the municipal election to be held on the first Tuesday following the first Monday in November, 2023. The Clerk-Treasurer elected to office in the November 2023, election shall serve a term of one (1) year commencing on January 1, 2024, and expiring on January 1, 2025.

(2). An election for Clerk-Treasurer shall then be held during the general election on the first Tuesday following the first Monday in November, 2024.

(3). The Clerk-Treasurer elected in the November, 2024, general election shall serve a four (4) year term commencing on January 1, 2025.

(C). For elections after the full implementation of staggered election cycle as provided in Subsection (B), above, each duly elected Clerk-Treasurer shall serve a term of four (4) years.

(D) In the event that a Clerk-Treasurer shall, for any reason, become disqualified or otherwise unable to complete the four (4) year term to which the Clerk-Treasurer was elected, a successor shall be selected according to applicable Indiana election laws to complete the unexpired four (4) year term.

4. This Ordinance may not be repealed earlier than twelve (12) years after the adoption of the Ordinance.

5. This Ordinance may be repealed only in a year preceding a municipal election held at the time described in IC § 3-10-6-5, as amended from time to time.

6. This Ordinance shall take effect upon passage and filed with the Circuit Court Clerk of LaPorte County, Indiana.


7. The Sections of this Ordinance shall be codified and made part of the Town Code of Ordinances and all sections and subsections may be renumbered or re-lettered as necessary to achieve such purpose.

8. It is the intent of the Town Council that if any section, subsection, sentence, clause or phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed to render invalid or unconstitutional the remaining provisions of this Ordinance.

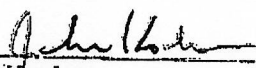
ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this 11th day of April, 2022

LONG BEACH TOWN COUNCIL

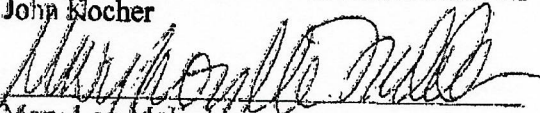
By:



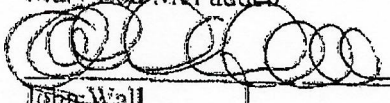
Bob LeMay, President



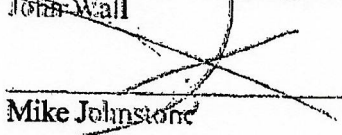
John Kocher



Mary Lou McFadden

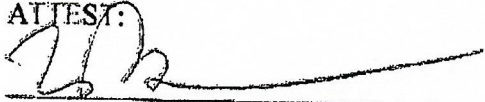


John Wall



Mike Johnstone

ATTEST:



Tim Perry, Clerk-Treasurer