

## Chapter 121 -- General and Special Elections

121.010. Date of general election. A general election for the elective officers of the City shall be held on the first Tuesday in April of each year.

1. On the first Tuesday in April of even- numbered years an election shall be held by the qualified voters of each ward in the City for mayor and one alderman from each ward, who shall hold their respective offices for the term of two years and until their successors shall be elected and qualified.

2. On the first Tuesday in April of odd- numbered years an election shall be held by the qualified voters of each ward of this City for one alderman for each ward, who shall hold their respective offices for the term of two years and until their successors shall be elected and qualified.

(Revised: Ord. 476)

121.015. Notice of filing for candidacy. In all city elections to fill elective office, the opening date for filing for candidacy shall be 8:00 a.m. on the sixteenth Tuesday prior to the election and the closing filing date shall be 5:00 p.m. on the eleventh Tuesday prior to the election. The City Clerk shall notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election, such notification to be done before the sixteenth Tuesday prior to any election. The City Clerk may accomplish such notification by legal notice published in at least one newspaper of general circulation in the city.

(Ord No. 1979 10-14-2009)

121.020. Filing of candidates. Any person desiring to seek election to an elective City office at any general city election may do so by filing his name and the office for which he seeks election with the city clerk, such filing to be done during the filing period published by the city clerk. The clerk shall keep a permanent record of the names of the candidates, the officers for which they seek election and the date of their filing, and their names shall appear on the ballots in that order.

121.030. Same; qualifications challenged. Any person who is not qualified for his office as provided by this Code or other statutes and ordinances shall not be entitled to have his name printed on the ballot. The qualifications of a candidate for office shall be determined by the city aldermen upon hearing given, and upon its own motion, or upon written affidavit by some person that a named candidate is not qualified as such for the office sought.

121.040. Withdrawal of candidacy. A candidate may withdraw his candidacy no later than the eighth Tuesday prior to the election. A candidate's name may be removed after that time only upon death or order of court of record.

121.050. Conformance of city elections with state law. All city elections shall be conducted and held in conformance with the provisions of all applicable state law.

121.060. Conduct of election by county clerk. Duty of city clerk to notify county clerk.

1. The county clerk, as the designated election authority, shall conduct city elections.

2. The city clerk shall notify the county clerk prior to 5:00 p.m. on the tenth Tuesday prior to any city election of the forthcoming city election. The notice shall be in writing and shall specify that the city is calling the election, the purpose of the election, the date of the election, and it shall include a certified copy of the legal notice to be published and the sample ballot. (Revised Ord. 833)

121.070. Conduct of election by city clerk, when. If there is no other overlapping political subdivision conducting an election on the same day as the city election, the city clerk shall conduct the city election in accordance with the applicable provisions of the Act providing the following have been done:

1. The city clerk is directed to conduct the election of the city aldermen by appropriate election ordinance passed prior to 8:00 a.m. on the Friday before the fourteenth Tuesday prior to the city election; and

2. The city clerk gives proper notice to the county clerk that the City of Holts Summit intends to conduct its own election, such notice to be given prior to 5:00 p.m. on the eighth Tuesday prior to the election.

121.080. Notice of city election. In all city elections conducted by the city clerk, the city clerk shall provide public notice of the election through newspaper publication pursuant to RSMo. 115.127.2. [Publication in two newspapers of different political faith published in the city; or if unavailable, in one newspaper published in the city; or if unavailable, in two newspapers of different political faith serving the city.] Notice shall be published twice; once during the second week prior to the election and

once during the first week prior to the election. Each such legal notice shall state that the City is calling the election and shall include the date and time of the election and a sample ballot. The second publication shall also include the location of polling places.

121.090. Voters; qualifications. All residents of the City who are qualified and timely and properly registered voters in accordance with the Act shall be entitled to vote at city elections. In order to vote at any city election, a person must be registered no later than 5:00 p.m. on the fourth Wednesday prior to the election.

121.100. Designation of polling places and judges; election costs. The election authority shall designate the polling places in all city elections in accordance with the provisions of the Act. The election authority shall appoint all election judges in accordance with the provisions of the Act. The City shall pay all the election costs required by the Act to the election authority conducting its election.

121.110. City police officers; assistance. It shall be the duty of the city police officers to give any assistance or protection required by the election authority, any employee of the election authority, or any election judge, and to comply with all lawful requests and directions of the election authority relating to such assistance.

121.120. Special election dates. Authorized dates for special city elections are the first Tuesday after the first Monday of February or March, August and November of each year. (Revised Ord. 833)

121.130. Vacancy in elected office; how filled. If a vacancy occurs in any elective office, the Mayor or the person exercising the duties of the Mayor shall cause a special meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected. The successor shall serve until the next regular election. If such vacated office is that of an Alderman, then, at the next regular election, a person shall be elected to either fill the unexpired term, if any, of the last person regularly elected to such office, or to serve a normal term for such office in the event that such vacancy in such office occurred within the last year of the term of the person last regularly elected to such office. If such vacated office is that of Mayor, then, at the next regular election, a person shall be elected who shall serve a full term as Mayor as if elected at a regularly scheduled mayoral election. (Revised: Ord. 496)

121.140. Certification of election results. As soon as practicable after each city election, the election authority shall convene a verification board in accordance with the Act to verify the count and certify the results of the election. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of each election and shall certify the returns to the city clerk. The city clerk shall issue to each person elected a certificate of election.

121.150. Election ordinance. Prior to each City election, the Board of Aldermen shall timely pass an election ordinance authorizing, establishing, and providing the election procedure to be followed in the conduct of the City election.

121.160. Primary elections. The Board of Aldermen may provide for a primary election in accordance with Section 79.035 RSMo. (1986).