

ORDINANCE # 19-15

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN ORDINANCE AMENDING THE CITY CHARTER BY REPEALING AND REPLACING CHAPTER 4 – NOMINATIONS AND ELECTIONS.

The City of Ramsey ordains:

SECTION 1. PURPOSE

The purpose of this Ordinance is to simplify and clarify City election procedures by repealing and replacing outdated, inconsistent language with provisions that conform to State law.

SECTION 2. CHARTER COMMISSION RECOMMENDATION

Pursuant to Minnesota Statute section 410.12, subdivision 7, a city council may enact a charter amendment by ordinance if the charter commission recommends the amendment to the council. The Ramsey Charter Commission approved the amendments below at its meeting held on October 17, 2019.

SECTION 3. AMENDMENT

Chapter 4 – Nominations and Elections – of the Ramsey City Charter is hereby repealed in its entirety and replaced with the following:

Sec. 4.1. - The regular municipal election.

A regular municipal election shall be held each even-numbered year.

4.1.1 *Primary elections.* Primary elections shall not be held for municipal elections.

Sec. 4.2. - Filing for office.

All persons who shall desire to be elected to any elected office at a special election held on the date of a regular municipal election shall file an affidavit of candidacy with the city clerk not more than fourteen weeks nor less than twelve weeks before the regular

municipal election. The fee required to file an affidavit of candidacy for municipal office shall be set by the city council through resolution or ordinance.

Sec. 4.3. - Procedure at elections.

Consistent with the provisions of this Charter and applicable state statutes, the council may by ordinance further regulate the conduct of municipal elections. Municipal elections shall be conducted in accordance with Minnesota Election Law, as supplemented by this Charter and city ordinances.

Sec. 4.4. - Special and advisory elections except for elected office.

The council may, by resolution, order a special election be held on a question on which the voters are authorized to pass judgment under this charter or by law. The council may also, by resolution, order an advisory election be held on a question that the city council has sole authority to resolve; the results of an election on the question so submitted shall be advisory to the council only and shall have no binding effect upon its decision. Special and advisory elections shall be held in the manner set forth for special elections in statutory cities in Minnesota Election Law, except that any election so ordered shall only be held on the same date as a regular municipal election. This section does not apply to special elections to fill vacancies in municipal offices.

Sec. 4.5. - Vacancy of municipal elected office.

4.5.1 In the event that a vacancy in an elected office of the city occurs three or more days before the first day to give notice of the period for filing an affidavit of candidacy for an election on the first Tuesday after the first Monday in November of the calendar year of the vacancy, the city must hold a special election to fill the balance of the unexpired term no later than the first Tuesday after the first Monday in November of the calendar year of the vacancy. In the event that a vacancy in an elected office of the city occurs after the third day before the first day to give notice of the period for filing an affidavit of candidacy for an election on the first Tuesday after the first Monday in November of the calendar year of the vacancy, the city must hold a special election to fill the balance of the unexpired term no later than the first Tuesday after the first Monday in November of the calendar year after the vacancy. In the event that a vacancy in an elected office of the city occurs after the third day before the first day to give notice of the period for filing an affidavit of candidacy for an election on the first Tuesday after the first Monday in November of the third year of the term, no special election shall be required but the city council may, by resolution, order that a special election to fill the balance of the unexpired term be held no later than the second Tuesday in May of the fourth year of the term.

- 4.5.2 A person elected at a special election held pursuant to this section to fill the balance of the unexpired term shall take office immediately after being qualified.
- 4.5.3 In the event of a vacancy in an elected office of the city, the council shall, by a majority vote, appoint a successor to serve the balance of the unexpired term or until a successor elected at a special election held pursuant to this section is qualified. In the case of a tie vote of the council, the mayor, or acting mayor if the office of mayor be vacant, shall make the appointment from the candidates involved in the tie vote.
- 4.5.4 The procedure at such election shall conform as nearly as practicable to that prescribed for other municipal elections under this Charter.
- 4.5.5 If a special election has been called to fill a vacancy in an elected office of the city, and no candidates filed an affidavit of candidacy prior to the expiration of the period for filing an affidavit of candidacy, the special election shall be cancelled. In the event that such a cancellation occurs, the individual appointed by the city council to fill said vacancy under this section shall serve the balance of the unexpired term or until a successor elected at a special election held pursuant to this section is qualified. In the event that such a cancellation occurs, a special election to fill the balance of the unexpired term shall be held on the same date as the next regular municipal election, unless the next regular municipal election would be in the fourth year of the term.

SECTION 4. SUMMARY

The following official summary of Ordinance #19-15 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #19-15 repeals and replaces Chapter 4 of the Ramsey City Charter concerning election procedures. The new provisions eliminate primary elections, removes language inconsistent with state election law, incorporates Minnesota Election Law procedures, retains advisory elections, and modifies vacancy procedure.

SECTION 5. EFFECTIVE DATE

This ordinance becomes effective 90 days after passage and publication.

PASSED by unanimous vote of the City Council of the City of Ramsey on the 10th day of December, 2019.

John LeTourneau, Mayor

ATTEST:

City Clerk Jo Ann M. Thieling

Introduction date: November 26, 2019

Posting dates: November 26 – December 11, 2019

Adoption date: December 10, 2019

Publication date: December 13, 2019

Effective date: March 13, 2019