

Section 4.1 - Option 1
To eliminate primaries entirely

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.

Section 4.1 - Option 1
To eliminate primaries except for general elections and vacancy special elections
held on the date of the general election

Sec. 4.1. - The regular municipal election.

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

4.1.1 *Primary elections.* A municipal primary for the purpose of nominating elective officers to the regular municipal election shall be held on the date of the state primary in the year of each regular municipal election. If a special election for an elective office is held on the same day as a regular municipal election, a municipal primary shall be held pursuant to this section for the purpose of nominating elective officers to that special election. No other municipal primaries shall be required. The municipal primary shall be for the selection of two nominees for each office for which a municipal primary is required hereunder. However, if not more than twice the number of individuals to be elected to an office file for nomination for the office, that office shall not be subject to the municipal primary required herein and the individuals who filed for nomination shall instead be placed on the regular municipal or special election ballot as the nominees for that office.

Section 4.2 - Option 1
For use with Option 1 of Section 4.1, with no primaries

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.

Section 4.2 - Option 2

For use with Option 2 of Section 4.1, with primaries only for office elections held on the date of the general election

Sec. 4.2. - Filing for office.

All persons who shall desire to be elected to any elected office at a regular municipal election or special election held on the date of a regular municipal election shall file an affidavit of candidacy with the city clerk not more than twelve weeks nor less than ten weeks before the primary election. All persons who shall desire to be elected to any elected office at a special election not held on the date of a regular municipal election shall file an affidavit of candidacy with the city clerk not more than ten weeks nor less than eight weeks before the special election. The fee required to file an affidavit of candidacy for municipal office shall be set by the city council through resolution or ordinance.

Section 4.3

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.

Section 4.4 – Option 1
Special and advisory elections at will

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

The council may, by resolution, order any special or advisory election deemed appropriate by the council, for any reason, and provide all means for holding it, 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.

Section 4.4 – Option 2
Special elections at will, No advisory elections

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

The council may, by resolution, order any special election deemed appropriate by the council, for any reason, and provide all means for holding it, 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. No advisory elections shall be held.

Section 4.4 – Option 3

Special elections in accordance with state law procedure, No advisory elections

Sec. 4.4. - Special 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. Special elections shall be held in the manner set forth for 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. No advisory elections shall be held.

Section 4.4 – Option 4
Special and advisory elections in accordance with state law procedure

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 a special 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.

Part 1 of Section 4.5 – Option 1

**If more than one year left on term, must be filled no later than next legally feasible
November election day**

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 with 365 days or more remaining in the term of the vacated office, a special election shall be held no later than the first Tuesday after the first Monday in November following the vacancy to elect a successor to serve for the remainder of the unexpired term. However, if holding a special election on the first Tuesday after the first Monday in November immediately following the vacancy would not permit compliance with all required notice provisions in this charter or state law, the special election shall be held no later than the first Tuesday after the first Monday in November of the calendar year following the vacancy.
- 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 The procedure at such election shall conform as nearly as practicable to that prescribed for other municipal elections under this Charter.
- 4.5.4 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.

Part 1 of Section 4.5 – Option 2
If more than one year left on term, must be filled ASAP

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 with 365 days or more remaining in the term of the vacated office, a special election shall be held at the next special election date for which all required notice provisions in this charter or in state law can be fulfilled to elect a successor to serve for the remainder of the unexpired term of the office vacated.
- 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 The procedure at such election shall conform as nearly as practicable to that prescribed for other municipal elections under this Charter.
- 4.5.4 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.

Part 1 of Section 4.5 – Option 3

Vacancies filled no later than next legally feasible November election day, except no special election for vacancies after the notice period cut-off for November election in third year.

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, a special election shall be held no later than the first Tuesday after the first Monday in November following the vacancy to elect a successor to serve for the remainder of the unexpired term. However, if holding a special election on the first Tuesday after the first Monday in November immediately following the vacancy would not permit compliance with all required notice provisions in this charter or state law, the special election shall be held no later than the first Tuesday after the first Monday in November of the calendar year following the vacancy. In the event that a vacancy in an elected office of the city occurs in the third year of the term at such time as would not permit compliance with all required notice provisions in this charter or state law, or in the fourth year of the term, no special election shall be held.
- 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.

Part 1 of Section 4.5 – Option 4
Vacancies filled no later than next legally feasible November election day, more definition for timing of elections that are not feasible or that cannot comply with notice provisions

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 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.

Part 1 of Section 4.5 – Option 5
Vacancies filled at next regular municipal election as in 412.02, subd. 2a, no vacancy
special elections at other times

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 of the period for filing an affidavit of candidacy for the next regular municipal election and more than two years remain in the unexpired term, a special election to fill the balance of the unexpired term shall be held on the same date as the next regular municipal election. If the vacancy occurs after the third day before the first day to give notice of the period for filing an affidavit of candidacy for the next regular municipal election or when less than two years remain in the unexpired term, there need not be a special election to fill the vacancy.
- 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 The procedure at such election shall conform as nearly as practicable to that prescribed for other municipal elections under this Charter.
- 4.5.4 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.

Part 2 of Section 4.5

Part 3 of Section 4.5

- 4.5.6 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.

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