

Section 4.1 - Option 1
To eliminate primaries entirely

Sec. 4.1. - The regular municipal election.

A regular municipal election shall be held ~~on the first Tuesday after the first Monday in November~~ of each even-numbered year, ~~commencing in 1984~~, at such places as the city council shall designate. ~~At least 15 days prior notice shall be given by the city clerk by posting a notice thereof in at least one public place in each election precinct, and by publishing a notice thereof at least once in the official newspaper of the city stating the time and the places of holding such election and of the officers to be elected. Failure to give such notice shall not invalidate such election. Elected and qualified officers provided for by this Charter shall assume the duties of office to which they were elected on the first business day in January following such election.~~

- 4.1.1 *Primary elections.* Primary elections shall not be held for municipal elections held on the same date as prescribed by the Minnesota Statute, which establishes the statewide primary election date. ~~The primary election shall be for the selection of two nominees for each elective office at the regular municipal election, unless two nominees or fewer file for each elective 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~~~~eight~~ weeks before the ~~primary~~ regular municipal election ~~with the city clerk, paying a filing fee to the city clerk in an amount as set by ordinance.~~ The fee required to file an affidavit of candidacy for municipal office shall be set by the city council through resolution or ordinance.

~~The city clerk shall prepare and have printed at the expense of the city the necessary ballots or other required material for such election.~~

~~The ballots or other material shall contain no political party designation of any candidate and the names of the candidates for each office may be arranged on the ballot alphabetically according to the surname of each candidate. The ballots or the results shall be counted and preserved and the city clerk shall be the final custodian of such ballots or returns for the city.~~

~~A sample ballot or a facsimile representation of the ballot shall be posted at the place of election at least one week before such election by the city clerk, whose duty it is to preserve such sample ballots.~~

4.2.1. [Repealed].

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 ~~Except as otherwise provided by this Charter and city supplementary ordinances, general state statutes on elections shall apply to municipal elections.~~

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 any special or 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, deemed appropriate by the council, for any reason, and provide all means for holding it. At least 15 days' prior notice shall be given by the city clerk by posting a notice thereof in at least one public place in each election precinct, and by publishing a notice thereof at least once in the official newspaper of the city stating the time and the places of holding such election. This section does not apply to special elections to fill vacancies in municipal offices.

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.

** notice*

- 4.5.1 ~~In the event that~~ ~~When~~ a vacancy in an elected office of the city occurs ~~with 365 days or more remaining in the term of the vacated office,~~ there shall be a special election held within 90 days after the vacancy occurs to elect a successor to serve for the remainder of the unexpired term of the office vacated. ~~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.
- 4.5.34 ~~In the event~~ ~~ease~~ of a vacancy ~~where there remains less than 365 days in the unexpired term in an elected office of the city,~~ the council shall, by a majority vote, appoint a successor to serve the balance of for the unexpired remainder of said 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.
- 4.5.43 ~~The procedure at such election and assumption of duties of elected officers following such election~~ shall conform as nearly as practicable to that prescribed for other municipal elections under this Charter.

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 there are insufficient numbers of candidates in a regular or special election to fill expiring or vacated municipal offices, 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 fill said offices by appointment until the next regular municipal election. In the case of a tie vote of the council, the mayor shall make said appointment from the candidates under consideration. 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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