

**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 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 Monday in January following such election.

4.1.1. *Primary elections.* The regular primary election shall be held on the same date as prescribed by Minnesota Election Law, 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. If two candidates or fewer file for any elective office, that office shall not appear on the primary ballot and the candidates shall appear on the municipal general election ballot as the nominees for that office.

**Sec. 4.2. - Filing for office.**

All persons who shall desire to be elected to any elected office shall file an affidavit not more than twelve weeks nor less than ten weeks before the primary election with the city clerk, paying a filing fee to the city clerk in an amount as set by ordinance or filing a nominating petition. The clerk shall also accept an application for candidacy as authorized by state law.

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 shall be rotated in the manner provided by state law. Consistent with state law, 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.

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

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

The council may by resolution order a special election on a question on which the voters are authorized to pass judgment under this Charter by law. The council may also, by resolution, order an advisory election to be held on a question that the city council has sole authority to resolve. The results of the advisory election are advisory to the council and have no binding effect. Special and advisory elections shall be held in the manner set forth for special elections in statutory cities under Minnesota Election Law. 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 When a vacancy in an elected office of the city occurs with 365 days or more remaining in the term of the vacated office, a successor shall be elected by special primary and special election on the next practicable election dates to serve the remainder of the unexpired term of the office vacated.

4.5.1.1 When a vacancy in an elected office of the city occurs when there is less than eight weeks prior to a regular primary election, the special primary election to fill the vacancy shall coincide with the regular Municipal Election, the election to fill the vacancy shall be held on the next election date thereafter, and the notice of such vacancy shall be published as soon as is practicable.

4.5.2 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.

4.5.3 In the case of a vacancy where there remains less than 365 days in the unexpired term, the council shall, by a majority vote, appoint a successor to serve for the remainder of said term. 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.