

**ORDINANCE #23-05**  
**CITY OF RAMSEY**  
**ANOKA COUNTY**  
**STATE OF MINNESOTA**

**AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF  
RAMSEY, MINNESOTA CHAPTER 4 – ELECTIONS AND NOMINATIONS**

The City of Ramsey ordains:

**SECTION 1. AUTHORITY**

This Ordinance is adopted pursuant to the authority of the City Charter of the City of Ramsey and such authority as it is given under Minnesota Statutes Section 410.12, subdivision 7.

**SECTION 2.**

The Section 4 of the City of Ramsey Charter is amended to read as follows (additions indicated by underline, deletions indicated by strikethrough):

**“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 the city clerk’s office, on the city website 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~~ Monday in January following such election.

- 4.1.1 *Primary elections.* ~~The regular p~~Primary elections shall be held on the same date as prescribed by ~~the~~ Minnesota Election Law 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. 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 ~~ten weeks~~ 84 days nor less than ~~eight weeks~~ 70 days 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 may be arranged on the ballot alphabetically according to the surname of each candidate. 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 in the city clerk's office and published in the official newspaper of the city at least one two weeks before such election by the city clerk, whose duty it is to preserve such sample ballots.

**“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. 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.

**“Sec. 4.5 – Vacancy of municipal elected office.**

- 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 shall occur on the date established by the City Council per Minn Stat. §205.10, as the same may be revised, amended or recodified, 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.
- 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. The city clerk shall give at least 60 days published prior notice of such special election, except as set forth under 4.5.5 of this section.
- 4.5.3 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.
- 4.5.4 In the event ~~case~~ 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.
- 4.5.5 If two or fewer candidates file an affidavit of candidacy, the special primary election shall be canceled and the special general election may be moved up to the primary date with Council approval. If this option is utilized, it must be noted on the resolution calling for a special election.

~~4.5.5—Office vacancy when less than eight weeks prior to primary election.~~

~~4.5.5.1—Special election. When a vacancy in an elected office of the city occurs when there is less than eight weeks prior to a primary election there shall be no primary election, except as provided in section 4.5.5.3 below. The special election to fill the vacancy shall coincide with the regular Municipal Election and the notice of such vacancy shall be published as soon as is practicable.~~

~~4.5.5.2—Vacancy in offices to be voted on in the regular Municipal Election. If a vacancy occurs less than eight weeks prior to the primary election, in the office of the mayor or the council members whose seats are to be voted on in the regular Municipal Election, said vacancy shall be considered not to exist for the purpose of the regular Municipal Election. The person elected to fill the vacancy in the regular Municipal Election, if approved by unanimous vote of the sitting council, may assume the duties of the office to which elected on the first business day following the city clerk's issuance of a certificate of election to said person.~~

~~4.5.5.3—Vacancy in an office not to be voted on in the regular Municipal Election. If a vacancy occurs in the office of the mayor or a councilmember not standing for election in the regular Municipal Election, a special primary election and a special election shall be held in January of the subsequent year following the vacancy to fill said vacancy. The election procedures for the special primary election and the special election shall be those election procedures for municipal office candidates as prescribed in Minnesota Statutes and this Charter. Notwithstanding section 2.3.1 of this Charter, which provides for a four-year term for the mayor and council members, the term of the mayor and/or a councilmember elected pursuant to this subsection will be for the remainder of the vacant term.~~

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.”

### **SECTION 3. SUMMARY**

The following official summary of Ordinance #23-05 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 #23-05 amends Chapter 4 – Elections and Nominations of the Ramsey City Charter.

**SECTION 4. EFFECTIVE DATE**

This ordinance becomes effective 90 days after its passage and publication as provided by Minnesota Statutes Section 410.12, Subdivision 7, as may be modified by any action undertaken pursuant to City of Ramsey Charter Section 5.

**PASSED** by the City Council of the City of Ramsey, Minnesota, the \_\_\_\_ day of April, 2023.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk