

BILL NO. 201809

ORDINANCE NO. 32.06

AN ORDINANCE SETTING AN ELECTION ON NOVEMBER 6, 2018, FOR THE QUALIFIED VOTERS OF THE CITY OF HAWK POINT, MISSOURI TO DECIDE WHETHER TO FOREGO ANNUAL MUNICIPAL ELECTIONS FOR SIX YEARS IF THE NUMBER OF CANDIDATES FILING EQUAL THE NUMBER OF SEATS UP FOR ELECTION IN ACCORDANCE WITH SECTION 115.124, RSMO.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF HAWK POINT, LINCOLN COUNTY, MISSOURI, AS FOLLOWS:

WHEREAS, Section 115.124.3, RSMo. was enacted effective October 10, 2014.

WHEREAS, Section 115.124.3 RSMo. applies to any city, town, or village with a population of one thousand or less.

WHEREAS, the governing body may pass an ordinance calling an election for the qualified voters to decide whether to forego annual municipal elections for six years if the number of candidates filing equal the number of seats up for election in accordance with Section 115.124.3 RSMo.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAWK POINT, LINCOLN COUNTY, MISSOURI, AS FOLLOWS:

Section 1.

The Municipal Clerk and all other officers of the municipality are hereby authorized and directed to authorize the appropriate election officer of the State of Missouri to issue the necessary lawful notices and prepare the appropriate ballots in order to submit the provisions of the Ordinance to the voters of the municipality for their approval or rejection at an election to be held November 6, 2018. The ballot language shall be:

YES

NO

**Shall the City of Hawk Point, Missouri, be authorized to forgo annual elections if the number of candidates who have filed for a particular office is equal to the number of positions in the office to be filled by the election?**

**The voter who desires to vote in favor of said question shall place a cross mark (x) in the square opposite the word "YES" (or in the case of the use of voting machines shall pull the lever so as to place a cross mark (x) in such square opposite said word). The voter who desires to vote against said ordinance shall place a cross mark (x) in the square opposite the word "NO" (or in the case of voting machines shall pull the lever so as place a cross mark (x) in the square opposite said word).**

Section 2.

If the majority of the votes cast by the qualified voters are in favor of the question, then the municipality shall conduct its municipal elections for the following six years immediately thereafter in accordance with Section 115.124 RSMo.. At the end of such six-year period it shall be prohibited from conducting elections in such a manner unless another election is held and the issue is again approved by the majority of the qualified voters.

Section 3.

If no election is held for such office as provided in this section the election authority shall publish a notice containing the names of the candidates that shall assume the responsibilities of the office under this section. Such notice shall be published in at least one newspaper of general circulation as defined in Section 493.050 RSMo by the first of the month in which the election would have occurred, had it been contested.

Section 4.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 5.

This ordinance shall take effect and be in force from and after its passage and approval, subject to voter approval as herein above set forth.

Passed and approved by the Board of Aldermen of the City of Hawk Point, Missouri, on this 6 day of August, 2018.

By:   
\_\_\_\_\_  
Mayor

ATTEST:

By:   
\_\_\_\_\_  
City Clerk

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