

Chapter 105

ELECTIONS

ARTICLE I

Generally

Section 105.010. Conformance Of City Elections With State Law.

All City elections shall be conducted and held in conformance with the provisions of Chapter 115, RSMo.

Section 105.020. Date Of Municipal Election.

- A. A municipal election for the qualified voters of this City shall be held on the first Tuesday after the first Monday in April of each year.
- B. On the first Tuesday after the first Monday in April of even-numbered years, a municipal election of the qualified voters of the City of Center shall be held for the purpose of electing a Mayor who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified.
- C. On the first Tuesday after the first Monday in April of odd-numbered years, a municipal election of the qualified voters of the City of Center shall be held for the purpose of electing one (1) Alderman from each ward who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified.
- D. On the first Tuesday after the first Monday in April of even-numbered years, a municipal election of the qualified voters of the City of Center shall be held for the purpose of electing one Alderman from each ward who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified.

Section 105.030. Declaration Of Candidacy — Dates For Filing.

Any person who desires to become a candidate for an elective City office at the general City election shall file with the City Clerk, not prior to the hour of 8:00 A.M., on the 16th Tuesday prior to, nor later than 5:00 P.M., on the 11th Tuesday prior to the next City municipal election, a written declaration of his/her intent to become a candidate at said election. The City Clerk shall keep a permanent record of the names of the candidates, the offices for which they seek election, and the date of their filing, and their names shall appear on the ballots in that order.

Section 105.035. Disqualification As Candidate For Elective Public Office, When — Disqualification From Participation In Election, When — Affidavit To Be Filed, Requirements — Investigation Of Alleged Delinquency.

- A. No person shall qualify as a candidate for elective public office in the State of Missouri who has been found guilty of or pled guilty to a felony under the Federal laws of the United States of America or to a felony under the laws of this State or an offense committed in another state that would be considered a felony in this State.
- B. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any State income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the State.
- C. Each potential candidate for election to a public office shall file an affidavit with the Department of Revenue and include a copy of the affidavit with the declaration of candidacy required under Section 115.349, RSMo. Such affidavit shall be in substantially the form as set out in Section 115.306, RSMo.
- D. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any State income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the State, the Department of Revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the Department of Revenue finds a positive affirmation to be false, the Department shall contact the Secretary of State, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The Department shall notify the candidate of the outstanding tax owed and give the candidate thirty (30) days to remit any such outstanding taxes owed which are not the subject of dispute between the Department and the candidate. If the candidate fails to remit such amounts in full within thirty (30) days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.

Section 105.040. Declaration Of Candidacy — Notice To Public.

The City Clerk shall, on or before the 16th Tuesday prior to any election at which City offices are to be filled by said election, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing, and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one (1) newspaper of general circulation in the City.

Section 105.050. Notice Of Elections.

In City elections, the City Clerk shall notify the County Clerk prior to 5:00 P.M. on the 10th Tuesday prior to any City election except as noted in Section 115.125.1, RSMo. The notice shall be in writing, shall specify that the Board of Aldermen is calling the election, the purpose of the election, the date of the election, and shall include a certified copy of the legal notice to be published including the sample ballot. The notice and any other information required by this

Section may, with the prior notification to the election authority receiving the notice, be accepted by facsimile transmission prior to 5:00 P.M. on the 10th Tuesday prior to the election, provided that the original copy of the notice and a certified copy of the legal notice to be published shall be received in the office of the election authority within three (3) business days from the date of the facsimile transmission.

ARTICLE II

Wards

Section 105.060. Number Of Wards. [CC 1992 § 30.010]

The City of Center, Missouri, shall be divided into two (2) wards. Public Street in Center shall be the dividing line between the two (2) wards.

Section 105.070. Designation Of Wards. [CC 1992 § 30.020]

- A. First Ward. All that portion of the City lying west of Public Street.
- B. Second Ward. All that portion of the City lying east of Public Street.