Chapter 9

ELECTIONS

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Chapter 9

ELECTIONS

Sec. 9-1. Adoption of State Law.

Except as otherwise provided in this Chapter, the general election laws of the State, insofar as the same are applicable, shall apply to and govern all elections held within the City. (1975 Code)

Sec. 9-2. Election of Officers Generally.

(a) A general election for the elective officers for the City of Iberia shall be held on the first Tuesday in April, 1975, and then every year thereafter, and all city elections shall be held under the provisions of Chapter 111 RSMo 1969, excepting the provisions of Section 111.181 and except that the judge of election in such city election shall perform all the duties of both the judge of election and clerks of election as prescribed in the state election law. All duties specified in a state election law to be performed by the constable or sheriff shall be performed by the City marshal or police in the city election; and all duties specified in the state election laws to be performed by the county clerk shall be performed by the City Clerk in the City elections. The polling places for all elections in the City and the judges thereafter shall be elected and specified by the Board of Aldermen by resolution, or ordinance, or otherwise. The judges of election as appointed by the Mayor and Board of Aldermen shall, before entering upon their discharge of their duty, take the following oath: "I do solemnly swear that I will impartially discharge the duties of the present election, according to law, to the best of my ability, and that I will not disclose how any voter voted unless I am required to do so, as a witness in a proper judicial proceeding, so help me God." Which oath shall be administered by one of the persons so appointed judge, who in turn may be sworn by one of the other judges, and if there shall be a vacancy for any cause the remaining judges, so appointed, may call in some qualified person to act as judge, who when qualified shall act as though he were regularly appointed.

(b) The judges of such election shall open the polls at 6:00 A.M. in the morning and continue them open until 7:00 o'clock in the evening.

STATE LAW REFERENCE:
1. Election in Fourth Class cities, see RSMo. §79.030 to §79.040.
2. Hours of polling place, see RSMo. §115.407.

(c) At the close of the election, after the ballots cast thereat have been counted and the poll books and the result of the election certified as required by law, the judges shall place the ballots and the ballot box, which shall be locked, and shall deliver same to the City Clerk, who shall preserve the same unopened for a sufficient length of time to meet the needs of any contest which may be instituted touching said election vote. And said judges shall also at said time deliver to the City Clerk the poll books of election, and the returns thereof.

(d) That the Board of Aldermen shall meet on a Wednesday evening, following said election, at which time, the City Clerk shall present the poll books and the certificates returned to him by the judges of election, and the Mayor and a committee of two members of the Board of Aldermen, to be appointed by the Mayor, shall examine them and case up the votes given each candidate, and give to those having the highest number of votes, certificate of election. (1975 Code)

Sec. 9-3. Compensation of Judges and Clerks.

The judges and clerks of election shall receive $15.00 per day for said service. (1975 Code)

Sec. 9-4. Election of Mayor.

The present Mayor of the City of Iberia, shall serve to the expiration of his term and there shall be elected by the qualified voters of the City of Iberia, on the first Tuesday in April, A.D. 1975, and every two (2) years thereafter, a Mayor, who shall hold his office when duly qualified, for the term of two (2) years or until his successor is elected and qualified. (1975 Code)

Sec. 9-5. Election of Aldermen.

The present Aldermen of the City of Iberia, shall serve to the expiration of their term and then shall be elected by the qualified voters of the City of Iberia, on the first Tuesday in April, A.D. 1975, and every year thereafter, one Alderman in each ward of said City, who shall hold his office when duly qualified, for a term of two years, or until his successor is elected and qualified. (1975 Code)

Sec. 9-6. Special Elections to Fill Vacancies and Present Special Proposals.

If a vacancy occurs in any elective office, the Mayor or persons exercising the duty as Mayor, shall cause a special election to be held to fill such vacancy, giving at least ten (10) days notice thereof, by publishing in some newspaper published in the County, or at least twenty(20) handbills posted up in as many public places within the City; provided, that when any such election occurs within six months of a general municipal election, no election shall be called to fill such vacancy, but that same shall be filled by the Mayor by appointment. Provided further, that any vacancy in the office of Aldermen which may occur within said six months preceding a general municipal election shall be filled by

appointment by the Mayor of some qualified person residing in the Ward which the vacancy occurred. Any such special election shall be conducted according to the provisions of this Chapter, for the annual City election.

The Mayor shall also cause a special election to be called for the purpose of submitting to the qualified voters of the City, any proposition or proposal which is authorized by law to be submitted to the said voters for decision. Such special election shall be called and notice thereof shall be given as provided in the preceding paragraph of this Chapter. In all other respects, special elections shall be according to the provisions of this Chapter for the annual City Election. (1975 Code)

Sec. 9-7. Declaration of Candidacy, Form.

The declaration of candidacy for an elective office in the City shall be in writing and shall state the office sought. In the event that there is a vacancy in office of two (2) aldermen from the same ward, the declaration shall further show the number of years the candidate is seeking. The declaration shall further state the name of the candidate and shall be signed by him with his or her normal signature and attested to before the City Clerk. Said declaration shall be filed by 6:00 P.M. on the seventh (7th) Tuesday, preceding the election. (1975 Code)

Sec. 9-8. Placing of Names on Ballot.

Upon the filing of a declaration of candidacy for an elective office in the City, the City Clerk shall cause said candidate's name to appear on the official ballot to be voted upon at the City election with proper designation of office sought. (1975 Code)

Sec. 9-9. Sections 8-5 and 8-6 not to affect Qualifications, Write-in Ballots.

The provisions of Sections 8-5 and 8-6 shall not in any way impair or limit the qualifications of persons seeking City office as they are established by State law, nor shall they in any way affect the rights of voter to write-in candidates of their choice. (1975 Code)

Sec. 9-10. City Wards Described.

That the City of Iberia, Missouri, shall be divided into two (2) wards to be known as the First Ward and the Second Ward, respectively, and be bounded each as hereinafter described, to-wit:

FIRST WARD
Beginning at the Northeast boundary line of the City of Iberia, at the middle center of Highway No 42; thence running South along the said middle center of Highway No. 42 to the intersection of Highway No. 42 and Lombar Avenue, at the American Legion Hall; thence South along the middle center of Lombar Avenue, to the middle center of Highway No. 17; thence South along the middle centre of Highway No. 17 to the South

boundary line of the said City, and all that part of the City lying East of the foregoing line shall be the First Ward.

SECOND WARD
And all that part of the City of Iberia, Missouri, lying West of the last described line that follows the middle of Highway No. 42, from the Northeast boundary line of said City to the intersection of said Highway No. 42, and Lombar Avenue; thence on out Lombar Avenue to the middle center of Highway No. 17; thence South up the middle center of said Highway to the City Limits shall be the Second Ward. (Ord. 15)

Sec. 9-11. Qualifications of Voters.

No person shall be qualified to vote at any election in the City of Iberia, unless he or she be a qualified voter according to the laws of the State of Missouri, a resident of the City therein required, and must vote in the Ward in which said voter lives. (1975 Code)

Secs. 9-12 to 9-16. Reserved.