

CHAPTER 105: ELECTIONS

ARTICLE I. GENERAL PROVISIONS

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 odd-numbered years, a municipal election of the qualified voters of the City of Seligman 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 Seligman 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 Seligman 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.

THE MUNICIPAL CODE OF THE CITY OF SELIGMAN, MISSOURI

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 sixteenth (16th) Tuesday prior to an election at which City offices are to be filled by said election, notify the general public of the opening may be accomplished by legal notice published in at least one newspaper of general circulation in the City.

SECTION 105.050: DECLARATION OF CANDIDACY—FORM

The form of said written declaration of candidacy shall be substantially as follows:

Seligman City Code

STATEMENT OF CANDIDACY

STATE OF MISSOURI)

) SS.

COUNTY OF BARRY)

I, _____, being first duly sworn, state that I reside at _____, City of

Seligman, County of Barry, Missouri; that I am a qualified voter in the ward containing my place of residence; that I do hereby declare myself a candidate for the office of (here name the office), to

be voted upon at the municipal election to be held on the first (1st) Tuesday of April, _____, and

am eligible therefore, and I hereby request that my name be printed upon the official ballot for said election for said office, and state that I will serve as such officer, if elected.

Signed:

Subscribed and sworn to before me this day of _____, _____, _____

City Clerk

THE MUNICIPAL CODE OF THE CITY OF SELIGMAN, MISSOURI

City of Seligman

(SEAL)

SECTION 105.060: CONDUCT OF ELECTIONS

The County Clerk, as the designated election authority, by State Statute, shall conduct all City elections.

SECTION 105.070: NOTICE OF ELECTIONS

In City elections, conducted by the County Clerk, the City Clerk shall notify the County Clerk prior to 5:00 P.M. on the tenth (10th) Tuesday prior to any City election or within seven (7) working days after the candidates' names are certified, whichever is later, of the forthcoming City election. 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 written notice shall be executed on behalf of the Board of Aldermen by the Mayor of the Board, and shall include the attestation of the City Clerk and shall have affixed thereto the Seal of the City of Seligman.

ARTICLE II. WARDS

SECTION 105.080: DIVISION INTO WARDS

The City of Seligman be, and it is hereby divided into two (2) wards by a line located as follows:

Beginning at a point where the center line of State Highway No. 37 intersects the northern boundary line of said City, running thence southerly along the center line of said State Highway No. 37 to its north intersection with Main Street thence south along Main Street to its south intersection with Highway 37 thence south along Highway 37 to the southerly boundary line of the City. All territory lying west of said line shall constitute and be designated as the West Ward and all territory lying east of said line shall constitute and be designated as the East Ward.

SECTION 105.090: ELECTION WARDS

For the conducting of all City elections, the corporation limits of the City shall be divided into two (2) wards as nearly as equal in population as is reasonably possible.

SECTION 105.100: ELECTION WARDS - NAMES

A. All of the City lying, being and situated West of the divisional line designated in Section 105.080 shall be and comprise the West Ward.

B. All of the City lying, being and situated East of the divisional line designated in Section 105.080 shall be and comprise the East Ward.