

RESOLUTION NO. 2012R-038

ESTABLISHING AN ORDINANCE PROVIDING FOR SPECIAL ELECTIONS TO FILL CERTAIN VACANCIES IN ELECTED OFFICES AT TIMES OTHER THAN THE REGULAR CITY GENERAL ELECTION

CITY OF WATERVILLE, LESUEUR COUNTY MINNESOTA

BE IT ORDAINED by the Mayor and Council of the City of Waterville, LeSueur County, Minnesota, as follows:

**City of Waterville
ORDINANCE NO. 30.11**

AN ORDINANCE PROVIDING FOR SPECIAL ELECTIONS TO FILL CERTAIN VACANCIES IN ELECTED OFFICES AT TIMES OTHER THAN THE REGULAR CITY GENERAL ELECTION

THE CITY COUNCIL OF WATERVILLE ORDAINS:

SECTION 1. DEFINITIONS

For the purposes of this ordinance, the following terms shall have the following meanings:

City. The City of Waterville, County of LeSueur, State of Minnesota.

General Election. A “general election” is an election held at regular intervals on a day determined by law or charter at which the voters of the state or any of its subdivisions choose by ballot public officials or presidential electors.

Special Election. A “special election” is an election held at any time to fill vacancies in public offices.

Vacancy. A vacancy occurs for the reasons stated in Minnesota Statute Section 351.02 or other state law.

SECTION 2. APPOINTMENT TO VACANCY

Pursuant to Minnesota Statute § 412.02, subd. 2a, a person shall be appointed to fill the vacancy until the special election is held and the winner of the special election is qualified to take office.

SECTION 3. SPECIAL ELECTION TIMING

If a vacancy occurs and a special election to fill the unexpired term is required pursuant to Minnesota Statute Section 412.02, subd. 2a, and there are more than 2 years until the next general election, then the special election to fill the vacancy shall be held at or prior to the next city election. The Council may by resolution establish the dates of filing affidavits of candidacy for the office, the time for absentee balloting, and the dates of the special election, as well as other provisions for the effective administration of the elections.

SECTION 4. SEVERABILITY

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 5. EFFECTIVE DATE

This ordinance becomes effective upon passage and publication.

Approved by the City Council of Waterville on this 4th Day of December, 2012.

Allen Benson, Mayor

Attested:

Teresa Hill, Administrator-Clerk