

BILL NO. 328

ORDINANCE NO. 328

**AN ORDINANCE SETTING AN ELECTION
ON APRIL 6, 2021, FOR QUALIFIED VOTERS OF THE
VILLAGE OF GORDONVILLE, CAPE GIRARDEAU COUNTY, MISSOURI, TO
DECIDE WHETHER TO FORGO ANNUAL MUNICIPAL ELECTIONS FOR SIX
YEARS IF THE NUMBER OF CANDIDATES FILING EQUAL THE NUMBER
OF SEATS UP FOR ELECTION IN ACCORDANCE WITH §115.124 RSMO.**

WHEREAS, §115.124 RSMo. was repealed and new sections were enacted in lieu thereof effective August 28, 2014, and August 28, 2018.

WHEREAS, §115.124 RSMo. applies to any city, town, or village with a population of two thousand or less.

WHEREAS, the governing body may pass an ordinance calling an election for qualified voters to decide whether to forgo annual municipal elections for six years if the number of candidates filing equal the number or seats up for election in accordance with §115.124 RSMo.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE VILLAGE OF GORDONVILLE, 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 this Ordinance to the voters of the municipality for their approval or rejection at an election to be held on April 6, 2021.

The ballot language shall be:

Shall the Board of Trustees of the Village of Gordonville, 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.

Yes or No

The voter who desires to vote in favor of said questions shall place a mark (X) in the square opposite the word "Yes" (or other appropriate mark for the voting machine being used at said election). The voter who desires to vote against said question shall place a mark (X) in the square opposite the word "No" (or other appropriate mark for the voting machine being used at said election).

Section 2. If the majority of 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 §115.124 RSMo. At the end of such six-year period it shall be prohibited from conducting elections in such 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 responsibility of office under this section. Such notice shall be published in at least one newspaper of general circulation as defined in §493.050 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 thereof.

Section 5. This ordinance shall take effect and be in force from and after its passage and approval, subject to voter approval and herein about set forth.

Signed: J. D. King
Position: Mayor

Entity: Village of Gordonville of Gordonville, Missouri

Attest:

Rebecca Wright
Municipal Clerk

First Reading: Rebecca Wright 2nd Jim Trudick

Second Reading: Rebecca Wright 2nd Jim Webb

Third Reading: Rebecca Wright 2nd Jim Webb