

Bill No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

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

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 § 115.124 was repealed and new sections were enacted in lieu thereof effective August 28, 2014 and August 28, 2018; and

WHEREAS, RSMo. § 115.214 applies to any city, town, or village with a population of two thousand (2,000) or less; and,

WHEREAS, the governing body may pass an ordinance calling an election for the qualified voters to decide whether to forego annual municipal elections for six (6) years if the number of candidates filing equal the number of seats up for election in accordance with RSMo. § 115.124.

**NOW THEREFORE**, be it ordained by the council of the Village of Whitewater, 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 VILLAGE OF WHITEWATER, 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 question 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 (6) years immediately thereafter in accordance with RSMo. § 115.124. At the end of such six (6) 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 responsibilities of office under this Section. Such notice shall be published in at least one newspaper of general circulation as defined in Section 493.050 by the first 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 as herein above set forth.


This Ordinance shall become effective immediately upon passage and approval by the Council of the Village of Whitewater, Missouri.

First reading this 7 day of January, 2021.


Second reading this 14 day of January, 2021.

Third reading this 21 day of January, 2021.

Passed by the Council of the Village of Whitewater, Missouri this 21 day of January, 2021.

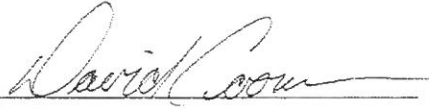
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

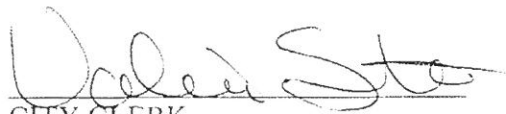
	YES	NO	ABSTAIN	ABSENT
Chad Farris	X	—	—	—
Nathan Stroden	X	—	—	—
Jonathan Stidman	X	—	—	—
David Coon	X	—	—	—
Valerie Stidman	X			

Approved this 21 day of January, 2021.

  
\_\_\_\_\_  
Mayor

If Mayor absent, presiding officer at meeting where passage of the bill was approved.

ATTEST:

  
\_\_\_\_\_  
CITY CLERK