

**AN ORDINANCE OF THE CITY COUNCIL AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI BY AMENDING TITLE I, GOVERNMENT CODE, CHAPTER 105, ELECTIONS, SECTION 105.030, DECLARATION OF CANDIDACY-DATES FOR FILING, SECTION 105.040, DECLARATION OF CANDIDACY-NOTICE TO PUBLIC, AND SECTION 105.060, NOTICE OF ELECTIONS**

**WHEREAS**, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

**WHEREAS**, the City’s Municipal Code (“Code”) currently identifies deadlines by calendar date(s) for filing notices of candidacy for Mayor and City Council; and

**WHEREAS**, the Code also provides deadlines by specific Tuesdays in the calendar year for publishing notices of candidacy in the newspaper; and

**WHEREAS**, the current calendar date deadlines do not match those required by the Secretary of the State’s Election Calendar, which the City is required to follow; and

**WHEREAS**, the proposed amendments to the Code are to follow the governing Secretary of State’s Election Calendar, and also to allow for digital submission of election paperwork, which is an accepted submission method by the County Clerks of Greene and Christian Counties; and

**WHEREAS**, the Council finds the amendments to the Code are in the best interest of the City, as they will ensure compliance with the governing Secretary of State’s Election Calendar and will allow for more expeditious submission of election paperwork digitally.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:**

**Section 1:** Title I, Government Code, Chapter 105, “Elections”, Section 105.030, “Declaration of Candidacy-Dates for Filing”, Section 105.040, “Declaration of Candidacy-Notice to Public”, and Section 105.060, “Notice of Elections” are hereby amended by the Sections below to read as follows:

**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 ~~fifteenth (15th) Tuesday prior to~~ **First Day of Candidate Filing as indicated by the Secretary of State's Election Calendar**, nor later than 5:00 P.M., on the ~~eleventh (11th) Tuesday prior to the next City municipal election~~ **Last Day for Candidate Filing as indicated by the Secretary of State's Election Calendar**, 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.

**105.040 Declaration Of Candidacy -- Notice To Public**

The City Clerk shall, on or before the ~~fifteenth (15th) Tuesday~~ **First Day of Candidate Filing as indicated by the Secretary of State's Election Calendar**, prior to any election at which City offices are to be filled by said election, notify the general public of the opening filing date, the office or offices to be filled, the

proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one (1) newspaper of general circulation in the City.

**105.060 Notice Of Elections**

In City elections, the City Clerk shall notify the County Clerk prior to 5:00 P.M. on the ~~tenth (10th) Tuesday~~ **Final Certification Date as designated by the Secretary of State's Election Calendar** prior to any City election except as noted in Section 115.125.1, RSMo. The notice shall be in writing, shall specify that the City Council 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 City Council 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 Republic. The notice and any other information required by this Section may, with the prior notification to the election authority receiving the notice, be accepted ~~by facsimile transmission~~ **in digital form** prior to 5:00 P.M. on the ~~tenth (10th) Tuesday~~ **Final Certification Date as designated by the Secretary of State's Election Calendar** prior to the election, provided that the original copy of the notice and a certified copy of the legal notice to be published shall be received in the office of the election authority within three (3) business days from the date ~~of the facsimile transmission~~ **of digital submission**.

EXPLANATION(S) - Matter in underlined type in the above is added language. Matter in ~~strikethrough~~ in the above is deleted.

- Section 2:** All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.
- Section 3:** The City Administrator or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.
- Section 4:** The WHEREAS clauses above are specifically incorporated herein by reference.
- Section 5:** The provisions of this Ordinance are severable, and if any provisions hereof are declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.
- Section 6:** This Ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

A handwritten signature in blue ink, appearing to read 'Megan McCullough', is written over a horizontal line.

Megan McCullough, City Attorney