

ORDINANCE NO. 15-04

AN ORDINANCE AMENDING AND RECREATING CHAPTER 6 OF THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend and recreate Chapter 6 of the Windsor Heights Code of Ordinances.

SECTION 2. Amended. Chapter 6 is hereby amended as follows:

Strikethrough the entirety of Chapter 6, City Elections, and replace with the following:

CHAPTER 6 CITY ELECTIONS

6.01 Nominating Method to be Used
6.02 Candidacy
6.03 Run-off Election in Lieu of Primary
6.04 Run-off Election Procedure

6.05 Qualifications
6.06 Time Held
6.07 Candidate Elected

6.01 NOMINATING METHOD TO BE USED. All candidates for elective municipal offices shall be nominated under the provisions of Chapter 376 of the Code of Iowa.

(Code of Iowa, Sec. 376.3)

6.02 CANDIDACY. An eligible elector of the City may become a candidate for an elective office by filing with the County Auditor a valid petition requesting that the elector's name be placed on the ballot for that office. The petition must be signed by eligible electors of the City equal in number to at least two percent (2%) of those who voted to fill the same office at the last regular City election, but not less than ten (10) persons.

6.03 RUN-OFF ELECTION IN LIEU OF PRIMARY. A run-off election shall be held in lieu of a primary election for the choosing of persons for elective offices.

(Code of Iowa, Sec. 376.6).

6.04 RUN-OFF ELECTION PROCEDURE. A run-off election shall be held for positions unfilled because of failure of a sufficient number of candidates to receive a majority vote in the regular City election.

(Code of Iowa, Sec. 376.9)

6.05 QUALIFICATION. Candidates who do not receive a majority of the votes cast for an office, but who receive the highest number of votes cast for that office in the regular City election, to the extent of twice the number of unfilled positions, are candidates in the run-off elections.

(Code of Iowa, Sec. 376.9)

6.06 TIME HELD. Run-off elections shall be held four (4) weeks after the date of the regular City election and shall be conducted in the same manner as regular City elections.

(Code of Iowa, Sec. 376.9)

6.07 CANDIDATE ELECTED. Candidates in the run-off election who receive the highest number of votes cast for each office on the ballot are elected to the extent necessary to fill the positions open.

(Code of Iowa, Sec. 376.9)

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this 3rd Day of August, 2015

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Diana Willits, Mayor

(SEAL)

ATTEST:

Brett Klein, City Administrator

CHAPTER 6
CITY ELECTIONS

6.01 Nominating Method to Be Used
6.02 Nominations by Petition
6.03 Adding Name by Petition

6.04 Preparation of Petition and Affidavit
6.05 Filing; Presumption; Withdrawals; Objections
6.06 Persons Elected

6.01 NOMINATING METHOD TO BE USED. All candidates for elective municipal offices shall be nominated under the provisions of Chapter 45 of the *Code of Iowa*.

(Code of Iowa, Sec. 376.3)

6.02 NOMINATIONS BY PETITION. Nominations for elective municipal offices of the City may be made by nomination paper or papers signed by not less than 25 eligible electors, residents of the City.

(Code of Iowa, Sec. 45.1)

6.03 ADDING NAME BY PETITION. The name of a candidate placed upon the ballot by any other method than by petition shall not be added by petition for the same office.

(Code of Iowa, Sec. 45.2)

6.04 PREPARATION OF PETITION AND AFFIDAVIT. Nomination papers shall include a petition and an affidavit of candidacy. The petition and affidavit shall be substantially in the form prescribed by the State Commissioner of Elections, shall include information required by the *Code of Iowa*, and shall be signed in accordance with the *Code of Iowa*.

(Code of Iowa, Sec. 45.3, 45.5 & 45.6)

6.05 FILING; PRESUMPTION; WITHDRAWALS; OBJECTIONS. The time and place of filing nomination petitions, the presumption of validity thereof, the right of a candidate so nominated to withdraw and the effect of such withdrawal, and the right to object to the legal sufficiency of such petitions, or to the eligibility of the candidate, shall be governed by the appropriate provisions of Chapter 44 of the *Code of Iowa*.

(Code of Iowa, Sec. 45.4)

6.06 PERSONS ELECTED. The candidates who receive the greatest number of votes for each office on the ballot are elected, to the extent necessary to fill the positions open.

(Code of Iowa, Sec. 376.8[3])

Mitchellville – Chapter 45 City – Filing – August 24th thru September 17th

Mayor – 1 – to be elected	10 signatures
Council At Large – 3 – to be elected	10 signatures

Pleasant Hill – Chapter 45 City – Filing – August 24th thru September 17th

Council At Large – 3 – to be elected	25 signatures
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Polk City – Chapter 45 City – Filing – August 24th thru September 17th

Council At Large – 3 – to be elected	25 signatures
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Runnells – Chapter 45 City – Filing – August 24th thru September 17th

Mayor – 1 – to be elected	10 signatures
Council At Large – 2 – to be elected	10 signatures

Sheldahl – Chapter 45 City – Filing – August 24th thru September 17th

Council At Large – 2 – to be elected	10 signatures
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Urbandale – Primary City – Filing – August 10th thru August 27th

Council At Large – 3 – to be elected	56 signatures
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West Des Moines – Run Off City – Filing – August 24th thru September 17th

Council At Large – 1 – to be elected	68 signatures
Council Ward 2 – 1 – to be elected	11 signatures
Park Commissioner – 3 – to be elected	96 signatures

Windsor Heights – Run Off City – Filing – August 24th thru September 17th

Council At Large – 2 – to be elected	21 signatures
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**City Clerk Planning Worksheet
2015 City Elections**

City: Windsor Heights Clerk: Brett Klein

Please complete this worksheet and return it to the county auditor no later than August 5.

1. List of Offices

Determine which offices will be on the ballot for this year's city election.

Office	Length of Term	Date Term Ends	Name of Incumbent	Date of Appointment (if applicable)
Council Member At-Large	4 Years	1/1/16	Charlene Butz	
Council Member At-Large	4 Years	1/1/16	Dave Burgess	

2. Type of Nomination Process

Mark the nomination method adopted by the city's ordinance. Attach a copy of the ordinance with this worksheet (unless the city has primary election provisions).

- Primary election provisions
- Runoff election provisions
- Nomination by petition only (Chapter 45 cities)
- Nomination by petition or by convention (Chapter 44 and 45 cities)
- Nomination by convention only (Chapter 44 cities)
- Special charter city

All cities operate under primary election provisions unless the city has adopted another nomination method. For more information, see the City Clerk's guide.

**City Clerk Planning Worksheet
2015 City Elections**

3. Population of City

Mark the appropriate population range for your city.

- 3,500 or greater 100 – 3,499 Less than 100

In Chapter 45 cities, the population determines the number of signatures candidates will need to collect for nomination petitions.

4. Public Measures

Does the city council plan to include any public measures on the ballot at the regular city election?

- Yes No Maybe

The full text of public measures must be filed with the county auditor by 5 p.m. on the day the candidate nomination period closes.

- Cities with primary election provisions: August 27, 2015
- Cities without primary election provisions: September 17, 2015

5. Polling Place Hours

Mark the time you would prefer to have the polls open (the auditor makes the final determination based on past turnout and other factors affecting turnout).

- 7 a.m. Noon

6. Publication

List the newspaper(s) in which you would like the notice of election to be published.

Des Moines Register
