

## ORDINANCE NO. 16-06

### 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 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 twenty-five (25) eligible electors, residents of the City.

*(Code of Iowa, Sec. 45.1)*

**6.03 ADDING NAME BY PETITION.** The name of the 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])*

**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 6th Day of June, 2016

1<sup>st</sup> Reading: \_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

Publish Date: \_\_\_\_\_

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Diana Willits, Mayor

(SEAL)

ATTEST:

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Marica Woodke, Interim City Clerk