BILL NO. 211 **ORDINANCE NO. 209**

AN ORDINANCE SETTING AN ELECTION ON APRIL 7, 2015, FOR THE QUALIFIED VOTERS OF THE VILLAGE OF INNSBROOK, MISSOURI, TO DECIDE WHETHER TO FOREGO ANNUAL MUNICIPAL ELECTIONS FOR SIX YEARS IF THE NUMBER OF CANDIDATES FILING EQUALS THE NUMBER OF SEATS UP FOR ELECTION IN ACCORDANCE WITH SECTION 115.124 RSMo.

WHEREAS, Section 115.124 RSMo was repealed and two new sections enacted in lieu thereof effective August 28, 2014; and

WHEREAS, Section 115.124 RSMo applies to any city, town, or village with a population of one thousand or less; and

WHEREAS, the governing body may pass an ordinance calling for an election for the qualified voters 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 Section 115.124 RSMo.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, MISSOURI, AS FOLLOWS:

SECTION 1. The Village Clerk and all other officers of the Village of Innsbrook 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 Village of Innsbrook for their approval or rejection at an election to be held on the 7th day of April, 2015. The ballot language shall be:

YES ☐ **Shall the Village of Innsbrook, Missouri, be authorized to forego annual elections if the number of candidates who have filed for the office of trustee is equal to the number of positions in the office to be filled by the election.**

NO ☐

The voter who desires to vote in favor of the question shall place a cross mark (x) in the square opposite the word "YES". The voter who desires to vote against said question shall place a cross mark (x) in the square opposite the word "NO".

SECTION 2. If the majority of the 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 Section 115.124 RSMo. At the end of such six year period it shall be prohibited from conducting elections in such a 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 RSMo, by the first 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 hereof.

SECTION 5: This Ordinance shall be in full force and effect from and after the date of its passage and approval, subject to voter approval as herein above set forth.

Said Bill was passed and approved this 13th day of January, 2015 by the Board of Trustees of the Village of Innsbrook after having been read by title two times prior to passage.

Jeffry S. Thomsen
Chairman, Board of Trustees

ATTEST:

Chris McCormick
Village Administrator/Clerk