

Ordinance # 835

TITLE II POLICY AND ADMINISTRATION CHAPTER 8: CITY ELECTIONS

AN ORDINANCE AMENDING TITLE - II POLICY & ADMINISTRATION, LOWDEN IOWA CODE OF ORDINANCES BY AMENDING PROVISIONS PERTAINING TO CITY ELECTIONS.

BE IT ENACTED: by the City Council of the City of Lowden, Iowa that a new chapter is added to the code of Ordinances:

Title II Policy and Administration, Chapter 8 City Elections is added.

The purpose of this chapter is to provide regulations for City Elections within the city limits of the City of Lowden.

TITLE II POLICY & ADMINISTRATION CHAPTER 8: CITY ELECTIONS

3-1-1	Purpose	3 1-6	Filing, Presumption, Withdrawals, Objections
3-1-2	Nominating Method to be Used	3-1-7	Persons Elected
3-1-3	Nominations by Petition	3-1-8	Reserved
3-1-4	Adding Name by Petition		
2-1-5	Preparation of Petition		

3-1-1 PURPOSE. The purpose of this chapter is to designate the method by which candidates for elective municipal offices in the City shall be nominated and elected.

3-1-2 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)

3-1-3 NOMINATIONS BY PETITION. Nominations for elective municipal offices of the City may be made by nomination paper or papers signed by not less than ten eligible electors, residents of the City.
(Code of Iowa, Sec. 45.1)

3-1-4 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)

3-1-5 PREPARATION OF PETITION. Each eligible elector shall add to the signature the elector's residence address, and date of signing. The person whose nomination is proposed by the petition may not sign it. Before filing said petition, there shall be endorsed thereon or attached thereto an affidavit executed by the candidate, which affidavit shall contain:

1. Name and Residence. The name and residence (including street and number, if any) of said nominee, and the office to which nominated.

2. Name on Ballot. A request that the name of the nominee be printed upon the official ballot for the election.

3. Eligibility. A statement that the nominee is eligible to be a candidate for the office and if elected will qualify as such officer.

4. Organization Statement. A statement, in the form required by Iowa law, concerning the organization of the candidate's committee. Such petition, when so verified shall be known as a nomination paper.

(Code of Iowa, Sec. 45.5)

3-1-6 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.

3-1-7 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.

3-1-8 Oaths: The Oath of Office shall be required and administered in accordance with the Following:

1. Qualify for Office. Each elected or appointed officer shall qualify for office by taking the prescribed oath and by giving, when required, a bond. The oath shall be taken, and bond provided, after such officer is certified as elected, no later than noon of the first day which is not a Sunday or a legal holiday in January of the first year of the term for which the officer was elected.

(Code of Iowa, Sec. 63.1)

2. Prescribed Oath. The prescribed oath is: "I, (name), do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all duties of the office of (name of office) in Clarence as now or hereafter required by law."

(Code of Iowa, Sec. 63.10)

3. Officers Empowered to Administer Oaths. The following are empowered to administer oaths and to take affirmations in any matter pertaining to the business of their respective offices:

A. City Clerk

B. Mayor

C. Members of all boards, commissions, or bodies created by law.

(Code of Iowa, Sec. 63A.2)

3-1-9 BONDS. Surety bonds are provided in accordance with the following:

1. Required. The Council shall provide by resolution for a surety bond or blanket position bond running to the City and covering the Mayor, Clerk, Treasurer, and such other officers and employees as may be necessary and advisable.

(Code of Iowa, Sec. 64.13)

2. Bonds Approved. Bonds shall be approved by the Council.

(Code of Iowa, Sec. 64.19)

3. Bonds Filed. All bonds, after approval and proper record, shall be filed with the Clerk.

(Code of Iowa, Sec. 64.23[6])

3-1-10 RESERVED

SECTION 2. REPEALER - All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SERVERABILITY CLAUSE. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Roll Call Vote: Jones:

Kim Jones:

Gene Hamdorf:

Austin Kristof:

Derrick Lange:

Callie Tjaden:

Passed by Lowden City Council on the 5th of June 2023 and approved this 5th of June 2023.

