

**Sec. 6.09. Item veto.**

Any ordinance or resolution shall be approved or vetoed by the mayor in its entirety, except that any item in a measure appropriating money may be approved or vetoed.

(C.F. No. 98-374, § 1, 11-25-98)

**Sec. 6.10. Reconsideration and overriding veto.**

Any ordinance or resolution or any part of an appropriation measure which has been vetoed may be reconsidered by the council and shall become law if passed by an affirmative vote of at least five (5) members within thirty (30) days of the veto. Any such ordinance or resolution or any part of an appropriation measure which has been reconsidered by the council and repassed shall be deemed approved.

(C.F. No. 98-374, § 1, 11-25-98)

**Sec. 6.11. Effective date of ordinance.**

Emergency ordinances shall be effective upon passage, approval and publication once in any legal newspaper, unless a later date is specified in the ordinance. All ordinances other than emergency ordinances shall become effective thirty (30) days after passage, approval and publication once in the official newspaper unless a later date is specified therein.

(C.F. No. 98-374, § 1, 11-25-98)

**Sec. 6.12. Codification.**

The council shall provide for the compilation of legislative ordinances in a legislative code and administrative ordinances in an administrative code.

(C.F. No. 98-374, § 1, 11-25-98)

**Sec. 6.13. Prima facie evidence.**

Any codification or compilation of the ordinances or resolutions of the city prepared under the direction of the council or any copy of any ordinance or resolution certified by the city clerk shall be prima facie evidence of its contents and of

the regularity and legality of its adoption and shall be admitted as evidence in any court without further proof.

(C.F. No. 98-374, § 1, 11-25-98)

**CHAPTER 7. ELECTIONS\*****Sec. 7.01. City elections.**

The election of city officers and such other officers as are required by law to be elected at a city election shall be held on the first Tuesday after the first Monday in November in odd numbered years.

Note—Amended, see Note 2 following Chapter 2.

**Sec. 7.02. Voter qualifications.**

Every person entitled to vote under the provisions of the Constitutions of the State of Minnesota and of the United States, and who shall fulfill the requirements prescribed by law, shall be entitled to vote in all elections.

**Sec. 7.03. Qualifications of candidates.**

Every person eligible to office under the Constitution of the State of Minnesota shall be eligible to file for election.

**Sec. 7.04. Name on primary ballot.**

Not later than six (6) weeks nor more than eight (8) weeks before the primary election, any

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\*Administrative code reference—For administrative provisions relative to elections, see Title IV, Subtitle E.

person eligible may, by filing an affidavit and payment of fifty dollars (\$50.00) to the city clerk, have his or her name placed on the primary election ballot. Each person desiring to have his or her name placed on the primary ballot for councilmember shall state in the affidavit of candidacy the district for which he or she is a candidate. (Ord. No. 17665, § 5, 6-29-89)

**Editor's note**—Section 7.04 amended, election Nov. 4, 1980; see Resolution, C.F. 275919 and Note 1 following Chapter 2; further amended by Ord. No. 17412, see Note 4 to Chapter 2; further amended by Ord. No. 17413, C.F. 86-1425, adopted by city council Nov. 5, 1986, pursuant to Minnesota Statute, Section 410.12.

#### **Sec. 7.05. Primary election.**

A primary election shall be held on the first Tuesday after the second Monday in September preceding any municipal election day.

**Note**—Amended, see Note 2 following Chapter 2.

#### **Sec. 7.06. City election candidates.**

If the law prescribes that the election of mayor and councilmember be by party designation, the candidate of each party receiving the highest number of votes in the primary election for the office of mayor or the office of councilmember in any district shall be declared the nominee of his party for the office at the next city election and the candidate's name shall be placed on the municipal election ballot, together with the name of any candidate for the office nominated by petition in accordance with the law. If the law does not provide for election by party designation, the two (2) candidates for mayor receiving the highest number of votes in the primary election for the office and the two (2) candidates for the council in each district receiving the highest number of votes for council in that district shall be declared the nominees and the only nominees for the respective offices at the next city election.

(Ord. No. 17665, § 5, 6-29-89)

**Editor's note**—Section 7.06 amended, election Nov. 4, 1980; see Resolution C.F. 275919 and Note 1 following Chapter 2; further amended by Ord. No. 17412, see Note 4 to Chapter 2.

#### **Sec. 7.07. Special election.**

The council may by resolution, adopted by affirmative vote of at least five (5) members, order a  
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special election when deemed necessary for any purpose and provide for the holding of the election.

#### **Sec. 7.08. Election procedure.**

Except where in conflict with the provisions of this Charter, the conduct and procedure of all elections shall be governed by the applicable statutes, together with supplementary ordinances passed by the council.

**Editor's note**—Section 7.08 amended, election Nov. 7, 1978; see also Section 7.09.

#### **Sec. 7.09. Nonpartisan election.**

Notwithstanding any other provision of law, all elections for the office of mayor or councilmember shall be held on a nonpartisan basis, with no party designation on the ballot for such offices.

**Editor's note**—Party designation amendment submitted to voters at election Nov. 7, 1978 and approved. C.F. 272037, adopted Nov. 14, 1978.

#### **Sec. 7.10. Canvass of returns.**

Within seven (7) days after the election, the city council shall canvass the returns and declare the results of the election.

**Editor's note**—Section 7.10 added by Ord. No. 17047, C.F. 279148, adopted by the city council Aug. 25, 1983, pursuant to Minnesota Statutes, Section 410.12.

### **CHAPTER 8. INITIATIVE, REFERENDUM, AND RECALL**

#### **Sec. 8.01. Initiative, referendum and recall.**

The people shall have the right to propose ordinances, to require ordinances to be submitted to a vote, and to recall elective officials by processes known respectively as initiative, referendum and recall.

#### **Sec. 8.02. Petition.**

Initiative, referendum or recall shall be initiated by a petition signed by registered voters of the city equal in number to eight (8) percent of those who voted for the office of mayor in the last preceding city election in the case of initiative or referendum, and twenty (20) percent in the case of recall.