



## Legislation Text

**File #:** Ord 13-46, **Version:** 1

Amending Charter Section 2.05 relating to the filling of Council vacancies, pursuant to Minnesota Statutes § 410.12, subd. 7 (2012).

The Council of the City of Saint Paul does Ordain:

### Section 1.

Pursuant to Minnesota Statutes § 410.12 subd. 7 (2012), on June 10, 2013, the Saint Paul Charter Commission recommended to the City of Saint Paul that certain charter amendments, as more fully stated below, be made by ordinance. Public notice has been given and a public hearing has been held according to law. The Council of the City of Saint Paul, by unanimous vote, hereby amends Charter Section 2.05 as follows:

### Section 2.

Sec. 2.05. - Filling vacancies.

(A)

Interim appointee. The council may within thirty (30) days of a council vacancy elect a qualified voter of the city ward to fill the vacancy as an interim appointee until such time as a successor is elected as set forth below or for the remainder of the unexpired term if the council vacancy occurs ~~after the last day for the filing of affidavits of candidacy for United States Representative~~ on or after July 1 of the third year of the term. If a tie vote occurs in the filling of a vacancy in the office of ~~councilman~~, the mayor shall break the tie.

In the event that the council does not fill the council vacancy within thirty (30) days, the mayor shall within ten (10) days thereafter appoint a qualified voter of the city ward to fill the vacancy as an interim appointee until such time as a successor is elected as set forth below or for the remainder of the unexpired term if the vacancy occurs ~~after the last day for the filing of affidavits of candidacy for United States Representative~~ on or after July 1 of the third year of the term.

If a vacancy occurs in the office of mayor, the council shall within thirty (30) days elect a qualified voter of the city to fill the vacancy as an interim appointee until such time as a successor is elected as set forth below or for the remainder of the unexpired term if the vacancy occurs on or after July 1 of the third year of the mayoral term.

(B)

Elected successor. If a vacancy in an office occurs before July 1 of the third year of the term, the vacancy shall be filled at the next general election being the first Tuesday after the first Monday in November, unless the next general election occurs more than one hundred eighty (180) days after the vacancy is created, in which case, the council shall call a special election for the purpose of filling the vacancy. The successful candidate's term shall commence upon the council's canvass of the election results and upon expiration of the time to contest the election or, if notice of contest is filed, upon final disposition of the contest.

Affidavits of candidacy for said vacancy shall be filed with the city clerk in accordance with the provisions of

Charter Section 7.04.

**Section 3.**

This ordinance shall take effect ninety (90) days after passage, approval and publication.