

Sec. 5.07. - Multiple candidates; nomination of candidates, petitions for placement on ballot.

When there are fewer than three (3) qualified persons nominated by petition for the office of mayor, then and in that event only, no primary election shall be held for the election of Mayor, and the City Clerk shall declare the person or persons so nominated by petition as nominee or nominees for the office of Mayor or for said City at the general election; however, if more than two (2) qualified persons are nominated for the office of Mayor, then the City Clerk shall include the nominees in the primary election. A candidate who receives a majority of the votes cast shall be declared to be the Mayor. If no candidate receives a majority of the votes cast, the names of the two (2) candidates for nomination to the office of Mayor who shall receive the greatest vote in such primary election shall be placed upon the ballot at the next general municipal election. The candidate at the general election who shall receive the greater number of votes at said general election for the office of Mayor shall be declared to be the Mayor.

When there are fewer than three (3) qualified persons nominated by petition, for the office of City Council, the City Clerk shall declare the person or persons so nominated by petition, as nominee or nominees for the office of City Council at the general municipal election; however, if more than two (2) qualified persons are nominated by petition, then the City Clerk shall include the nominee in the primary election as herein provided.

A candidate who receives a majority of the votes cast in said primary election shall be declared elected to the City Council. If no candidate receives a majority of the votes cast, the names of the two (2) candidates for nomination to the office of City Council who shall receive the greatest vote in said primary election shall be placed on the ballot at the next general municipal election. The ballot to be used at said elections shall be so arranged as to show clearly and to designate the names of the candidates for Mayor and the candidates for City Council. A tie vote between two (2) or more candidates for the office of Mayor or between two (2) or more candidates for the office of City Council shall be determined by the drawing of lots.

*(Ord. No. 95-13, § 8, 6-21-95; Ord. No. 15-96, § 1, 8-7-96)*

Sec. 22-91. - Nomination of candidates, petitions for placement on ballot.

Candidates for the office of mayor or for the office of city council shall be nominated only by a nonpartisan primary election, if one need be called. The name of any elector of the city shall be printed on the primary ballot if there is filed with the city clerk a petition in accordance with the following provisions and if the person whose name is to appear on such petition is qualified for the office he is seeking in all other respects:

- (1) Such petition shall state the name of each person whose name is presented for a place upon the ballot and that he is a candidate for the office of mayor or the office of city council for the city, and, if he is a candidate for the office of city council, the petition shall state the seat for which the candidate is running.
- (2) In the case of a person who is a candidate for mayor or city council, his petition shall be signed by at least 25 duly registered, qualified electors of the city.
- (3) Each elector signing a petition shall add to his signature the date of signing. All signatures shall be made with ink.
- (4) There shall be attached an affidavit of the candidate circulating the same, stating the number of signatures and that each signature is that of the person whose name it purports to be.
- (5) The petitions shall be made available to potential candidates by the city clerk, beginning 30 days prior to the start of qualifying and must be filed with the city clerk within the qualifying period.

*(Ord. No. 95-13, § 6, 6-21-95)*