

STURGEON City CODE

CHAPTER 4: ELECTIONS

Section 4.080 Tie Vote, Special Election.

If any two or more persons shall receive an equal number of votes for the office of Mayor, Chief of Police, Collector, Board of Aldermen, and any other elective office of the City of Sturgeon as provided by ordinance, and a higher number than any other person, the Mayor or Board of Aldermen shall cause a special election to be held specifying the date and hours of such election and giving at least ten days notice thereof by publication in some newspaper published in this City, or at least twenty handbills posted up at as many public places within the City.

(Ord. 269, Sec. 1, Approved and Effective May 3, 1965.)

Section 4.160 Polling Places, Wards I and II.

The polling places for casting ballots for all wards in general and special elections in the City shall be designated by the election authority.

(Ord. 520, Sec. 1, Approved and Effective March 28, 1994.)

Section 4.165 Electoral Wards Established.

The City of Sturgeon is divided into two wards, or electoral districts for representation on the Board of Aldermen. The dividing line is Ogden Street (and for that city block which at the end of Ogden Street which is not divided by that street, an imaginary extension of Ogden Street to the point where Ogden Street resumes on the other side of that city block.) Ward I is all of the city of Sturgeon that is to the West of Ogden Street. Ward II is all of the city of Sturgeon that is to the East of Ogden Street.

(Ord. 713, Sec. 1, Approved and Effective February 22, 2010, New.)

Section 4.170 Between What Hours Polls Shall be Open.

The judges of each election hereafter to be held shall open the polls at six o'clock in the morning (6:00 a.m.) and keep them open until seven o'clock in the evening (7:00 p.m.) of the day of election.

(Ord. 320, Sec. 1, Approved and Effective March 27, 1972.)

Section 4.180 Adoption of State Voter Registration Provisions.

That the provisions of Chapter 114 of the Revised Statutes of the State of Missouri pertaining to local option county registration be and the same are hereby adopted, and the provisions thereof, after September 1971, shall be applicable to all municipal elections thereafter held within the City of Sturgeon, Missouri.

(Ord. 312, Sec. 1, Approved and Effective August 30, 1971.)

Section 4.190 Qualifications of Voters.

Every citizen of the United States, including residents of soldiers' and sailors' homes, over the age of eighteen years shall be entitled to vote at all City elections, provided he shall have resided in the State of Missouri one year, and

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the county of Boone and City of Sturgeon for at least sixty days immediately preceding the election at which he offers to vote. Each voter shall vote only in the one ward, election district or precinct in which he resides. No person who is adjudged incompetent or while confined in any public prison, shall be entitled to vote at any election of the City of Sturgeon; nor shall any person convicted of a felony, or of a misdemeanor connected with the exercise of the right of suffrage, be permitted to vote at any election unless he has been reinstated his civil rights by the properly authorized state or federal authority.

(Ord. 320, Sec. 2, Approved and Effective March 27, 1972.)

Section 4.200 Absentee Ballots, Who May Case.

Any person being a duly qualified elector of the State, other than persons in military or naval service, who expects to be absent from the county in which he is a qualified elector on the day of holding any special or general election at which any candidates are elected for any City office or at which any question of public policy is submitted, or any person who, through illness or physical disability, expects to be prevented from personally going to the polls to vote on election day, may vote at such election as hereinafter provided.

(Ord. 360, Sec. 1, Approved and Effective March 22, 1976.)

Section 4.210 How and When to Apply.

Any elector as defined in the foregoing section, expecting to be absent from the county of his residence on the day of such election, or expecting to be prevented through illness or physical disability from personally going to the polls to vote on election day, and who shall attach to his application a certificate of illness or disability attested to by a licensed physician or duly accredited practitioner of Christian Science may, within thirty days next before the date of such election and up to four o'clock (4:00) p.m. on the day before any election, make application in person, or by mail, to the City Clerk, or other officer or officers charged with the duty of furnishing ballots for such election in his voting precinct, for an official ballot for such precinct to be voted at such election. In the event the elector shall have recovered from his illness or physical disability sufficiently to permit him to present himself at the proper polling place for the purpose of casting his ballot, or in the event such elector shall be in the county of his residence on election day, the absentee ballot cast by such elector shall stand as his official vote, unless such elector shall notify the City Clerk of the removal of such disability, before nine o'clock (9:00) a.m. on the Friday before the day of election.

(Ord. 360, Sec. 2, Approved and Effective March 22, 1976.)

Section 4.220 Application, Duties of City Clerk, How Ballots Designated.

Application for such ballot may be made on a blank to be furnished by the City Clerk, or may be made in writing by first class mail, addressed to such officer and signed by the applicant. Immediately upon receipt of such application within the time and in the manner prescribed, the Clerk shall make a list of the names of such absent voters whose applications for ballots have been received and shall cause such list to be posted in a conspicuous place accessible to the public, such list shall show also the post office address, street address and ward number given by the applicant. Such list shall be supplemented daily by the addition thereto of additional applicants; provided, that the Clerk, after examination of the records or otherwise ascertaining the right of such person to vote at such election, shall not be required to furnish any ballot to any person desiring to vote who is not lawfully entitled to vote, and if the applicant is entitled to vote, the Clerk shall immediately upon receipt of the printed ballots send by registered mail, postage prepaid, or deliver ballots to such applicant. All printed ballots to be used by absentee voters shall be designated "Official Absentee Ballots".

(Ord. 360, Sec. 3, Approved and Effective March 22, 1976.)

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Section 4.230 Initialing of Ballots by City Clerk, Further Handling.

It shall be the duty of the City Clerk to write upon such ballot his or her initials, and enclose such ballot in an unsealed envelope to be furnished by such Clerk which envelope shall bear the name, official title and post office address of such officer, and upon the other side a printed affidavit in the form provided by state law for such absentee voting.

(Ord. 360, Sec. 4, Approved and Effective March 22, 1976.)

Section 4.240 Procedure for Voting by Absentee Ballot.

The absent voter shall make and subscribe to the affidavits provided on the return envelope before any officer authorized to administer oaths; and the voter shall exhibit the ballot to the officer unmarked, and shall thereupon in the presence of the officer mark the ballot, but in such manner that the officer cannot see or know how it is marked. The ballot shall then in the presence of the officer be deposited in the envelope and the envelope securely sealed. The officer shall then write or print upon the envelope the following: "Absentee Ballot of (insert name of voter) marked and sealed in my presence", which certificate shall be signed by the officer and his official title noted thereon. The envelope shall be sent by the voter to the officer issuing the ballot, and for it to be counted the envelope containing it shall bear a post mark not later than the date of the election and shall be delivered to the issuing officer not later than 6:00 p.m. of the day next succeeding the day of such election, or the ballot may be delivered in person to the issuing official, who shall give his written receipt therefor, not later than 6:00 p.m. of the date of the election.

(Ord. 360, Sec. 5, Approved and Effective March 22, 1976.)

Section 4.250 Absentee Ballots, Preservation, Listing, Counting.

The officer charged with the duty of issuing such ballot to absent voters shall receive the ballot of such voter and safely keep and preserve the same unopened in his office. At least twenty-four hours before such ballot shall be opened and canvassed such officer shall make a complete list of the names of such absent voters whose ballots have been received and shall cause the list to be posted in a conspicuous public place; such list shall show the ward in which the absent voter claims to be a resident. Whenever the Board of Aldermen shall meet to canvass the votes according to law, they shall appoint not less than four disinterested persons from the two dominant political parties, not more than one-half of whom shall be of the same political faith, not later than 6:00 p.m. of the day next succeeding the day of such election, and such persons so appointed shall take the oath prescribed for the regular judges of election and shall at once proceed to open, canvass and count such votes, and, having determined that such absent voter is entitled to vote, shall certify to the Board of Aldermen the number of qualified votes to be counted for each of the respective candidates voted for in such ward, or for or against the question of public policy submitted at such election, and shall forthwith make such certificate to the Board, which shall tabulate such vote along with the other votes certified from the several wards in arriving at the total result of the election in the ward, provided, that no ballot shall be counted which has not been received and filed by the issuing official within the time required.

(Ord. 360, Sec. 6, Approved and Effective March 22, 1976.)

Section 4.260 Challenging of Votes, Death of Voter Before Polls Open.

The vote of any absent voter may be challenged for good cause and the judges so appointed to open, canvass, count and certify the votes of such absent voters shall have all the power and authority given by law to regular judges of election, to hear and determine the legality of such ballot. When it shall appear that an absent voter, who has returned his ballot as provided, has died prior to the opening of the polls on the day of election, then the ballot shall be rejected by the judges, and shall not invalidate the election. Such judges should note the fact of the rejection and why.

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(Ord. 360, Sec. 7, Approved and Effective March 22, 1976.)

Section 4.270 Absentee Voting for Persons in Military Service

No person in the military or naval service shall be denied the right to vote because of such service, and shall vote in the manner as may be provided by state and federal law.

(Ord. 360, Sec. 8, Approved and Effective March 22, 1976.)