

## CHAPTER 205

### MUNICIPAL ELECTIONS

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#### 205.075 TOWN GENERAL ELECTION.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Alternate date.** A town may, by resolution or ordinance, designate the first Tuesday after the first Monday in November of either the even-numbered or the odd-numbered year as the date of the town general election. Town supervisors elected at a November town general election shall serve four-year terms.

The ordinance or resolution changing the date of the town general election must include a plan to shorten or lengthen the terms of office to provide an orderly transition to the November election schedule.

The ordinance or resolution changing the date of the town general election may be proposed by the town board or by a resolution of the electors adopted at the annual town meeting and is effective upon an affirmative vote of the electors at the next town general election.

**History:** 1999 c 132 s 30

#### 205.10 MUNICIPAL SPECIAL ELECTIONS.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Vacancies in city offices.** Special elections shall be held in statutory cities to fill vacancies in elective city offices as provided in section 412.02, subdivision 2a.

Subd. 3. **Prohibition.** No special election authorized under subdivision 1 may be held within 40 days after the state general election.

Subd. 4. **Vacancies in town offices.** Special elections must be held with the town general election to fill vacancies in town offices as provided in section 367.03, subdivision 6.

**History:** 1999 c 75 s 1; 1999 c 132 s 31,32

#### 205.16 NOTICE.

*[For text of subds 1 to 3, see M.S.1998]*

Subd. 4. **Notice to auditor.** At least 49 days prior to every municipal election, the municipal clerk shall provide a written notice to the county auditor, including the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election.

**History:** 1999 c 132 s 33

#### 205.185 PROCEDURE.

*[For text of subds 1 and 2, see M.S.1998]*

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Within seven days after an election, the governing body of a city or a town conducting the general election in November shall canvass the returns and declare the results of the election. The governing body of a town conducting the general election in March shall canvass the returns and declare the results of the election within two days after an election. After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court. In case of a tie vote, the govern-

ing body shall determine the result by lot. The clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

*[For text of subd 4, see M.S.1998]*

**History:** 1999 c 132 s 34

#### **205.84 REDISTRICTING; CITIES WITH WARDS.**

Subdivision 1. **General provisions.** In a city electing council members by wards, wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Each council member shall be a resident of the ward for which elected, but a change in ward boundaries does not disqualify a council member from serving for the remainder of a term.

Subd. 2. **Effective date.** After the official certification of the federal decennial or special census, the governing body of the city shall either confirm the existing ward boundaries as conforming to the standards of subdivision 1 or redefine ward boundaries to conform to those standards as provided in section 204B.135, subdivision 1. If the governing body of the city fails to take either action within the time required, no further compensation shall be paid to the mayor or council member until the wards of the city are either reconfirmed or redefined as required by this section. An ordinance establishing new ward boundaries pursuant to section 204B.135, subdivision 1, becomes effective on the date of the state primary election in the year ending in two.

Subd. 3. **Transition schedule.** The governing body of a city electing more than one council member in each ward may adopt an orderly transition schedule to biennial November elections in which only one council member in each ward is elected in any municipal general election.

**History:** 1999 c 237 s 3