

BILL NO. 2010-3

**AN ORDINANCE RELATING TO MUNICIPAL ELECTIONS;
AMENDING SECTIONS 4.02 AND 4.06 OF THE RICHFIELD
CITY CHARTER**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Background; findings; authority.

1.01. The City of Richfield (City) is governed by home rule charter adopted pursuant to the Constitution of the State of Minnesota and Minnesota Statutes, Chapter 410 (Act).

1.02. The Charter Commission of the City has proposed the adoption of Amendments to two sections of the charter and recommended to the City Council that the Amendments be adopted by City Council ordinance in the manner prescribed by Section 410.12, Subdivision 7, of the Act. The form of the Amendments are set out in Sections 2.02 and 2.03 of this ordinance.

1.03. A public hearing on the Amendments was held on May 11, 2010 by the City Council after two weeks' published notice containing the text of the Amendment as required by the Act. The notice contained a brief description of the nature and scope of the Amendments. All persons desiring to be heard with reference to the Amendments were heard at the public hearing.

1.04. The Council finds and determines that it is in the best interests of the City and its inhabitants that the Amendments be adopted.

Section. 2 Adoption; effective date; filing.

2.01. The Amendments as proposed by the Charter Commission are adopted.

2.02. Section 4.02 of the Richfield City Charter is amended to read as follows:

Section 4.02. Primary Election. On the ~~first~~ second Tuesday ~~after the second Monday in September~~ August preceding the regular municipal election there shall be a primary election for the selection of two nominees for each elected office at the regular municipal election unless no more than two nominees file for each elective office. The City Clerk shall give at last two weeks previous notice of the time and place of holding such election and of the officers to be elected by posting in at least one public place in each voting precinct and by publication at least once in the official newspaper, but failure to give such notice shall not invalidate such election.

2.03. Section 4.06 of the Richfield City Charter is amended to read as follows:

Section 4.06. Withdrawal of Candidate. Any person whose name has been presented in the manner provided for in the foregoing section as a candidate may, not later than ~~12 o'clock noon of the day~~ 5:00 p.m. two days after the last day for filing,

cause his or her name to be withdrawn from nomination by filing with the City Clerk a request to do so in writing, and no name so withdrawn shall be printed upon the ballot.

2.04. This ordinance is effective ninety (90) days after its publication, except that if within sixty (60) days after publication a petition requesting a referendum on this ordinance, signed by the number of registered voters of the City required by the Act is filed with the City Clerk, this ordinance will not be effective until approved by 51% of the voters voting on the question of its adoption at the special election called by the Council for that purpose.

2.05. On the effective date of the Amendments, the City Clerk is authorized and directed to file copies of the Amendments with the Secretary of State of the State of Minnesota, the Hennepin County Recorder, and the City Clerk's office together with the certificate required by Section 410.11 of the Act.

Passed by the City Council of the City of Richfield, Minnesota this 11th day of April, 2010.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk