

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE II, SECTIONS 2, 5, 6, AND 10 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATE TO RENAMING THE GENERAL OR PRIMARY ELECTION AS THE MUNICIPAL ELECTION FOR CONSISTENCY WITH OTHER CHARTER PROVISIONS, ALLOWING MUNICIPAL ELECTIONS CONDUCTED BY THE CLEVELAND COUNTY ELECTION BOARD TO BE SET ON DATES ALLOWED UNDER APPLICABLE STATE LAW WHILE SPECIFYING A PREFERENCE FOR MUNICIPAL ELECTIONS TO BE CONDUCTED IN FEBRUARY AND MUNICIPAL RUNOFF ELECTIONS TO BE CONDUCTED IN APRIL, AND PROVIDING ADDITIONAL FLEXIBILITY IN THE SELECTION OF FILING DATES EACH YEAR SO THAT THEY ARE COMPATIBLE WITH STATE LAW NOTICE REQUIREMENTS FOR MUNICIPAL ELECTIONS CONDUCTED BY THE CLEVELAND COUNTY ELECTION BOARD; AND PROVIDNG FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, it is deemed advisable and necessary by the Council of the City of Norman, Oklahoma, to submit for election various amendments to the Charter of said City as are hereinafter set forth; and
- § 2. WHEREAS, pursuant to the provisions of Section 12, Article XVII of the Charter of the City of Norman, said amendments must be submitted to the registered voters of said City for their approval before the same become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 3. That the Mayor of the City of Norman, Oklahoma, or in her absence or incapacity, the duly qualified Mayor Pro Tem, be and hereby is authorized and directed to call a special election to be held in the City on the 14th day of November, 2017, for the purpose of submitting to the registered, qualified voters of the City of Norman, Oklahoma, the proposed amendments to the Charter of said City, to-wit:
- § 4. That Sections 2, 5, 6, and 10 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 2. Term of office.

The term of Councilmembers shall be for a period of two years. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall expire on the first Tuesday of July of the next even numbered year after their election.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall expire on the first Tuesday of July of the next odd numbered year after their election.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

The term of office of the Mayor elected at regular elections, shall be three (3) years. The term of the Mayor shall expire on the first Tuesday of July and each three (3) years thereafter.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election and reside in the ward from which they seek election, on the date of their filing, shall be eligible to seek election to the City Council.

For the purpose of filing and election to the position of Mayor, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the six months prior to the date of the municipal election, shall be eligible to seek election as Mayor.

Section 5. Municipal elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

Section 6. Municipal runoff elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. If allowed by then-current state law, the date for municipal runoff elections shall be in April.

Section 10. Candidates.

A. *Filing of candidates.* Any person who is a registered voter of the City, as provided in Article II, Section 2 of this Charter, may become a candidate for office in the proper municipal election by filing with the Secretary of the County Election Board, a sworn written notice containing the following information: The candidate's name, street address, designation of the office sought, with ward number, and the date of the municipal election. A person can be a candidate for only one office at a time.

B. *Filing of candidates by petition.* The name of a candidate may also be placed upon the ballot at the municipal election upon the filing of a petition for that purpose in the manner set forth herein. Any registered voter of the City may file with the Secretary of the County Election Board, within the time provided in Section 10(D) of this Article, a petition bearing the signatures of registered voters eligible to vote for the office for which they seek to make a nomination. In the case of candidates for the office of the Mayor, the number of valid signatures required shall total one hundred (100). In the case of candidates for a Council position, the number of valid signatures required shall total fifty (50). Said petition shall contain the information required in sub-section (A) of this section as well as the name of the person sought to be nominated. Further, the person sought to be so nominated must file, within three (3) days of the filing of said petition and before the close of filing, a written notice of willingness to become such a candidate.

C. *Filing fee.* The Council shall have the power to provide by ordinance a filing fee for candidates, to establish and charge the amount thereof and to provide for refund of same under certain circumstances.

D. *Time of filing.* By resolution duly adopted each year, the City Council shall designate a period for filing for elective office, which is approved under then-current state law.

- § 5. That the remaining portions of the Articles and Sections referred to herein shall remain unchanged.
- § 6. That the amendments of the City Charter proposed herein shall be effective provided by law.
- § 7. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day
of _____, 2017.

NOT ADOPTED this _____ day
of _____, 2017.

Lynne Miller, Mayor

Lynne Miller, Mayor

ATTEST:

Brenda Hall, City Clerk