

Chapter 7

ELECTIONS

Sec. 7-1. Adoption of state rules and regulations.

The rules and regulations promulgated by the state election board which pertain to municipal elections are hereby adopted as the rules, regulations and provisions that shall govern the conduct of municipal general and special elections in the city.

Sec. 7-2. Challenge of registration list.

Any elector of the City shall have the right to challenge the registration of any person whose name appears on the registration list in the manner set forth in this section.

- (1) Appeal to registrar. Any challenge of a person's right to register shall be made in the first instance to the registrar, who shall upon hearing the evidence decide whether to affirm or reverse the original decision.
- (2) Appeal to mayor and council. Any person asserting a challenge under this section, or any person whose name was omitted from the registration list by the registrar, shall have the right to appeal from the decision of the registrar to the mayor and council. If the mayor and council should decide, after hearing the evidence of such person and that of the registrar, that the registrar erred in his decision, such body shall direct the registrar to correct the error.

Sec. 7-3. Contested elections - Petition of contest.

Any person wishing to contest the results of a primary or election shall file a petition with the City Clerk within five (5) days after the results of the election are declared by the mayor and council, which petition shall set forth in writing one or more of the following grounds:

1. Malconduct, fraud, or irregularity by any election official sufficient to change or place in doubt the result.
2. Ineligibility of the defendant for the office in dispute.
3. Illegal votes received, or legal votes rejected, sufficient to change or place in doubt the result;
4. An error in counting the votes or in declaring the result of an election, if such error would change the result; or
5. Any other cause which shows that another was the person legally elected.

Sec. 7-4. Same - Notice and hearing.

Upon the filing of a petition to contest the results of an election, a hearing shall be set before the mayor and council and written notice, stating the time and place of the hearing and containing a copy of the contest petition, shall be given to all affected candidates. The hearing will take place not less than five (5), nor more than ten (10) days after service of the notice upon the affected candidates, and shall be conducted in an informal manner.

Sec. 7-5. Same - Determination by mayor and council.

The mayor and council shall examine the qualification of electors concerning their right to vote, order a recount of ballots, examine the registration lists and perform such acts and conduct such examinations as may be deemed necessary to determine the validity of a contest of an election, except that any member of the mayor and council included in the contest shall disqualify himself from judging the contest.