

CHAPTER 12

ELECTIONS¹

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ARTICLE I. IN GENERAL

Sec. 12-1. Definitions.

- A. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Act: The Comprehensive Election Act of 1977.

County Clerks of Cole and Callaway Counties: The election authorities as defined in Section 115.015 of the Revised Statutes of Missouri, except as limited herein.

City Clerk: The city clerk of the city and the election authority when conditions set out by Section 12-3 of this Code are met.

- B. All words and phrases used in this article which are not defined in subsection (a) shall have the meaning assigned to them in section 1-2 of this Code and in Chapter 115 of the Revised Statutes of Missouri and in particular Section 115.013 thereof. In the event of a conflict between the definitions in section 1-2 of this Code and such statutory definitions, the statutory definitions shall apply.

(Ord. No. 9715, § 2(14-6), 12-7-81)

State law reference - Comprehensive Election Act of 1977, RSMo. § 115.001 et seq.

Sec. 12-2. Compliance with state law.

All city elections shall be conducted and held in accordance with the provisions of the Comprehensive Election Act of 1977 and any amendments thereto.

(Ord. No. 9715, § 2(14-5), 12-7-81)

State law reference - Comprehensive Election Act of 1977, RSMo. § 115.001 et seq.

Sec. 12-3. Conduct of city election by city clerk.

- A. The clerk of the city may conduct an election for the city if the city does not overlap another political subdivision or special district conducting an election on the same day and if directed to do so by the city council.
- B. No later than 5:00 p.m. on the eighth Tuesday prior to any election to be conducted by the city clerk, the City of Jefferson shall notify the Cole County and Callaway County clerks. The notice shall be in writing and shall include the name of the City of Jefferson and the statement that the City of Jefferson intends to conduct its own election.
- C. The notice shall be in writing, shall specify the name of the officer or agency calling the election, and shall include a certified copy of the legal notice to be published pursuant to subsection 2 of Section 115.127 RSMo., 1978.
- D. Not later than the third Tuesday prior to any special election to fill a vacancy called by the city, the city clerk shall have a sample ballot for public inspection.

E. In conducting such elections, the city clerk shall have all powers and duties granted to county clerks under the provisions of Sections 115.001 to 115.641 RSMo., 1978, except the provisions of Section 115.223 RSMo., 1978, as amended. The jurisdiction of the city clerk shall be the political subdivision of the city.

F. These provisions shall not apply to special elections to decide an election contest or tie vote. (Ord. No. 9715, § 2(14-7) 12-7-81; Ord. No. 9729, § 1, 1-4-82; Ord. No. 10008, § 1, 7-5-83; Ord. No. 10129, § 1(14-7(b)), 12-19-83)

Sec. 12-4. Persons eligible to vote.

All residents of the city who are qualified and timely and properly registered voters in accordance with the Act shall be entitled to vote at city elections. In order to vote at any city election a person must be registered no later than 5:00 p.m. on the fourth Wednesday prior to the election.

(Ord. No. 9715, § 2(14-8), 12-7-81)

State law reference - Qualifications of voters and registration, RSMo. § 115.133 et seq.

Sec. 12-5. Size of council; term.

The city council shall consist of ten (10) members, two (2) members from each of the city's five (5) wards. The term of each council member shall be two (2) years, with the two (2) councilmen from each ward being elected in alternate years for overlapping terms. They shall qualify and their terms of office shall begin on the first regular council meeting after their election.

(Ord. No. 9715, § 2(14-9), 12-7-81)

State law reference - Similar provisions, RSMo. § 77.030.

Sec. 12-6. Designation of polling places, appointment of election judges, election costs.

The appropriate election authority shall designate the polling places in all city elections and shall appoint all election judges in accordance with the provisions of the Act. The city shall pay election costs required by the Act to the election authority conducting its election.

(Ord. No. 9715, § 2(14-10), 12-7-81)

State law reference - Election costs, RSMo. § 115.063 et seq.

Sec. 12-7. Assistance from city police officers.

It shall be the duty of the city police officers to give any reasonable and lawful assistance or protection required by the election authority, any employee of the election authority, or any election judge, and to comply with all lawful requests and directions of the election authority relating to such assistance.

(Ord. No. 9715, § 2(14-11), 12-7-81)

State law reference - Similar provisions, RSMo. § 115.059.

Sec. 12-8. Nomination of candidates.

Nominations of candidates for election to elective city offices shall be made by declaration of candidacy filed

with the city clerk in the form and manner as follows:

- A. Any person desiring to be a candidate for city office shall file with the city clerk a statement of candidacy in substantially the following form:

State of Missouri)
County of _____) ss.
City of Jefferson)

I, _____, being first duly sworn, say that I reside at _____, in the City of Jefferson, County of _____, State of Missouri, and that I am a qualified voter therein, and that I am a candidate for nomination for the office of _____ at the election to be held on the _____ Tuesday of _____, 20__.

If the individual is a candidate for Mayor, the following shall be added:

I am at least thirty years of age, qualified voter of the City, and a resident thereof for two years next preceding this election. I am not in arrears for any unpaid City taxes or unpaid judgments against me, including any debt to the Municipal Court, or guilty of forfeiture or defalcation in office.

If the individual is a candidate for City Council, the following shall be added:

I am at least twenty-one years of age, a qualified voter of the City and a citizen of the United States. I have resided in the City of Jefferson for at least one year preceding this election. I have resided in the ward from which I am running for at least six months preceding this election. I am not in arrears for any unpaid city taxes, guilty of defalcation in office, or been removed from office of Councilman.

If the individual is a candidate for Municipal Judge, the following shall be added:

I am a licensed attorney qualified to practice law within Missouri. I am a resident of the City of Jefferson, Missouri. I am between the ages of twenty-four and seventy-five. I do not hold any other office within the City.

If the individual is a candidate for City Prosecutor, the following shall be added:

I am licensed to practice law in Missouri and am a resident of the City at the time of this election. I am not in arrears for any unpaid City taxes or guilty of forfeiture or defalcation in office.

(Signed) _____

Subscribed and sworn to before me this _____ day of _____, 20__.

City Clerk

- B. The city clerk shall endorse on each declaration of candidacy the day and hour such declaration was

received and filed.

- C. When submitted for filing, the declaration of candidacy shall include the endorsement which is notarized, or signed before the City Clerk, of at least three residents of the area which will be represented by the office the candidate is seeking.
 - D. Write-in votes shall be allowed in primary and general elections. Write-in votes shall be counted only for candidates who have filed a declaration of intent to be a write-in candidate with the proper election authority prior to 5:00 p.m. on the Friday immediately preceding any election day. The election authority shall furnish a list to the election judges and counting teams prior to election day of all write-in candidates who have filed such declaration. This subdivision shall not apply to elections wherein candidates are being elected to an office for which no candidate has filed.
- (Ord. No. 9715, § 2(14-12), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 13400, §1, 7-1-2002; Ord. No. 14708, §1, 8-16-2010)

Sec. 12-9. Opening filing date, filing deadline, receipt, verification for primary election and unopposed candidates.

- A. Declarations of candidacy for city offices and petitions for the nomination of a candidate must be filed with the city clerk beginning at 8:00 a.m., the fifteenth Tuesday prior to the primary election, and not later than 5:00 p.m. on the eleventh Tuesday prior to the primary election. The city clerk shall check each declaration of candidacy to certify that the declaration of candidacy is lawfully made. Within forty-eight (48) hours after the filing deadline (not counting weekends) the city clerk shall determine whether a city primary is needed.
State law reference - RSMo 115.127 § 5. (Ord. No. 12515, §1, 9-9-96; Ord. No. 13400, §1, 7-1-2002)
- B. If only one or two persons have filed a declaration of candidacy for a nomination to any city office, then such persons shall be the nominees to the office declared for, and no primary election shall be required for that office.
(Ord. No. 13400, §1, 7-1-2002)
- C. If there are three (3) or more candidates for the nomination to a city office, then the names of those candidates shall be placed upon a primary ballot. The two candidates receiving the highest number of votes in the primary election shall be placed on the general election ballot, unless one candidate receives over fifty percent of all the votes cast for that office in which case only that candidate's name shall appear on the general election ballot.
(Ord. No. 9715, § 2(14-13), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 10129, § 1(14-13(a)), 12-19-83; Ord. No. 12515, § 1, 9-9-96; Ord. No. 13400, §1, 7-1-2002)

Sec. 12-10. Resignation or withdrawal of candidate; death, or disqualification.

- A. Any person having qualified as a candidate for city office and wishing to withdraw as a candidate shall no later than the sixth Tuesday prior to the first Tuesday in April (in the event a city primary is called for the office for which the candidate seeks withdrawal, the time shall be the third Tuesday prior to the first Tuesday after the first Monday in March) file a written, sworn statement of withdrawal in the office of the city clerk. If a candidate for city office dies, withdraws, or is disqualified, and there is no other candidate for the office in question, filing for the office shall be reopened for a period of five (5) working days following the death, withdrawal, or disqualification; except that if the death, withdrawal or

disqualification occurs after the third Tuesday before the general election or primary election, if held, then the general or primary election shall proceed. A disqualified or withdrawn candidate's name shall be physically eradicated from the ballot so that no vote may be cast for said candidate. Any vote so cast for said disqualified or withdrawn candidate, in spite of eradication, shall not be counted.

- B. In a general election, and if both occurs after the third Tuesday before the general election, if a sufficient number of votes are cast for a deceased candidate to entitle the candidate to election to office had the candidate not died, a vacancy shall exist in said office to be filled by a special election. In the case that death occurs after the third Tuesday before a primary election, the deceased candidate's name shall be physically eradicated from the ballot so that no vote may be cast for said candidate. Any vote so cast for said deceased candidate, in spite of eradication, shall not be counted.

(Ord. No. 9715, § 2(14-14), 12-7-81)

Sec. 12-11. One nominee for each office.

No person shall file a statement of candidacy for more than one office to be filled.

(Ord. No. 9715, § 2(14-15), 12-7-81)

Sec. 12-12. City Clerk to preserve statements of candidacy.

The city clerk shall cause to be preserved in his office all statements of candidacy filed therein under the provisions of this article for a period of one year.

(Ord. No. 9715, § 2(14-16), 12-7-81)

Sec. 12-13. Candidates' names on ballot.

Names of candidates for each office shall be placed on the ballot in the order in which his statement of candidacy is filed with the city clerk. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.

(Ord. No. 9715, § 2(14-17), 12-7-81; Ord. No. 10008, § 7-5-83; Ord. No. 13539, §1, 5-5-2003)

Sec. 12-14. Election day.

All city elections shall be held on a Tuesday. The city general election day shall be the first Tuesday after the first Monday in April of each year. Except as otherwise provided by state law other authorized city election dates shall be the first Tuesday after the first Monday in February or March, June, August, or November. The county clerk shall make the selection of either the February or March election date, but not both dates for city elections.

If a primary election is required, it will be held in February.

(Ord. No. 9715, § 2(14-19), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 10129, § 1(14-19), 12-19-83; Ord. No. 12558, §1, 12-16-96; Ord. 13624, §1, 10-6-2004)

State law reference - Municipal elect on dates, RSMo. §§ 115.121, 115.123.

Sec. 12-15. Primary election day; ballots.

- A. The city primary day shall be held on the first Tuesday after the first Monday in February.
- B. At any necessary city primary election, the names of all candidates seeking the nomination for the same office shall appear on the ballot, under the appropriate title of the office, in the same order as the declarations of such candidates were filed with and received by the city clerk.
(Ord. No. 9715, § 2(14-20), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 13400, §1, 7-1-2002)

Sec. 12-16. Notice of city election; form of ballots.

For city elections conducted by the county clerk, the city clerk shall notify the county clerk prior to 5:00 p.m. on the eighth Tuesday prior to any city election. The notice of said city election shall be in writing, and shall specify that the city is calling the election, the purpose of the election, the date of the election, and shall include a certified copy of the legal notice to be published and the sample ballot. Not later than the fourth Tuesday prior to any special election to fill a vacancy called by the city, the city clerk shall certify a sample ballot to the county clerk.

(Ord. No. 9715, § 2(14-21), 12-7-81; Ord. No. 10129, § 1(14-21), 12-19-83)

Sec. 12-17. Legal notice.

Legal notice of city elections shall be published as required by Section 115.127 of the Revised Statutes of Missouri.

(Ord. No. 9715, § 2(14-22), 12-7-81)

Sec. 12-18. Vacancies, how filled.

- A. When any vacancy shall happen in the office of mayor, by death, resignation, removal from the city, removal from office, refusal to qualify or otherwise, the president pro tempore of the council shall act as mayor until the next regular election.
- B. If a vacancy occurs in any other elective office except that of a council member, the mayor, or the person exercising the office of the mayor, shall appoint a person to fill the vacancy with the advice and consent of the council. The successor shall serve until the next municipal general election.
- C. In the event of a vacancy on the council, the following procedure shall be followed:
 - 1. Nominations. At the first regular meeting of the City Council which is not less than two weeks following the vacancy, any remaining member of the City Council may nominate an individual qualified to hold the office. The nomination must be seconded. A councilperson may only nominate one individual. No nominations shall be allowed during such time as filing for candidacy to election of that same position is open.
 - 2. Declaration of candidacy. To be eligible for the office, All persons nominated shall complete a declaration of candidacy form as approved by the council within four working days following the day of the nomination.
 - 3. Public Session. Between the time names are placed in nomination and the election by the Council, at least one public forum shall be held where members of the public can meet the

nominees. An informal questions and answer period may also be used in which anyone may ask and receive answers to miscellaneous questions.

4. Election by the Council. The date on which the council will vote to select a person to fill the vacancy shall be set by the remaining members. The election shall occur no sooner than two weeks after the nominations are first made.
5. Procedure for voting. When the Council is prepared to vote, the Mayor shall call for a roll call vote. The Council person answering the call shall state the last name of nominee for whom they are casting their vote. After all of the names have been read and the votes tabulated the Mayor shall determine if any one candidate has received a majority of votes of the remaining council members. If so, the mayor shall declare that person elected. If no person has received a majority of the votes, the Clerk shall then proceed to call the roll again, and the procedure shall repeat until such time as one person has been declared to be elected.

D. Any person selected to fill a vacancy must possess all qualifications required for the position.

(Ord. No. 9715, § 2(14-23), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 13400, §1, 7-1-2002; Ord. No. 14584, §1, 9-21-2009)

Sec. 12-19. Statement of candidacy for special election to fill vacancy; when filed.

A statement of candidacy for a special election to fill a vacancy on the city council shall be accepted for filing by the city clerk within the time prescribed by the election ordinance authorized said special election.

(Ord. No. 9715, § 2(14-18), 12-7-81)

Sec. 12-20. Certification of results of general and primary elections.

As soon as is practical after each city election, the city clerk shall verify the count and certify the results of the election to the city council. In the case of a tie between two (2) candidates for nomination to an office, such candidates shall determine by lot, in such manner as the candidates may select, in the presence of the mayor and the city clerk, which of the candidates shall be the nominee. In a general election, the candidates receiving the most votes for their respective offices shall take office upon verification of the election results at the first regular council meeting following the election. The city clerk shall issue to each person elected to office a certificate of election.

(Ord. No. 9715, § 2(14-24), 12-7-81; Ord. No. 10008, § 1, 7-5-83; Ord. No. 13400, §1, 7-1-2002)

State law reference - Counting of votes, RSMo. § 115.447 et seq.; certificates of election, RSMo. § 115.523.

Sec. 12-21. Tie vote in general election.

Whenever there is a tie in the election of a councilman, the matter shall be determined by the council.

(Ord. No. 9715, § 2(14-25), 12-7-81; Ord. No. 10008, § 1, 7-5-83)

State law reference - Tie votes in election, RSMo. § 115.517 et seq.

Sec. 12-22. Election ordinance.

Prior to each city election, the city council shall timely pass an election ordinance authorizing, establishing, and providing the election procedure to be followed in the conduct of the city election.

(Ord. No. 9715, § 2(14-26), 12-7-81)

Sec. 12-23. City officers or employees may not run.

Any person employed by the city or any person who is an appointed official of the city, shall not seek elective office while an employee or official of the city. This section shall apply to all officers or employees, whether paid or unpaid. This section shall not apply to members of boards, and commissions of the city.

(Ord. No. 9715, § 2(14-27), 12-7-81; Ord. No. 12290, § 1, 6-5-95)

Sec. 12-24. Election offenses.

In addition to the election offenses set out in the Act, and in particular Section 115.629 et seq., the following shall be deemed to be violations of this Code:

- A. No person shall electioneer or solicit votes for any elective office within twenty-five (25) feet of any polling place on election days.
- B. No owner, proprietor, publisher, manager, or lessee of any newspaper, magazine, circular, journal, or other written material shall publish or print, or cause to be published or printed, any article in any newspaper in advocacy of or in opposition to the candidacy of a candidate for an elective office, which such article is paid for, either directly or indirectly, unless such article is conspicuously marked "paid advertisement."
- C. Any person offering a bribe, either in money or other consideration, to any voter for the purpose of influencing his vote at any such election, or receiving and accepting such bribe or other consideration, any person making false answer relative to his qualifications to vote in any election, any person willfully voting or offering to vote at such election who is not a qualified voter of the state and of the city, who is not eighteen (18) years of age, or who is not a citizen of the United States, or knowing himself not to be a qualified elector of such voting precinct where he offers to vote or votes, or any person knowingly procuring, aiding, or abetting any violation thereof shall be guilty of a misdemeanor.
- D. Every candidate shall file statements of expenses and contributions as required by the Act.

Any person violating any of the provisions contained in this section shall be subject to arrest and conviction, and if so charged and convicted, he shall be punished as provided in section 1-13, and in case of such conviction of a successful candidate for office, such conviction shall operate as a forfeiture of office.

(Ord. No. 9715, § 2(14-28), 12-7-81; Ord. No. 9729, § 2, 1-14-82)

Secs. 12-25 - 12-35. Reserved.

ARTICLE II. WARDS AND PRECINCTS

Sec. 12-36. Wards.

A. The city is hereby divided into five (5) wards, which shall be named the First Ward, the Second Ward, the Third Ward, the Fourth Ward, and Fifth Ward respectively.

B. The First Ward shall be bounded as follows:

Beginning at the intersection of the northerly extension of the centerline of Marshall Street and the centerline of the Missouri River, thence southeasterly following the northerly extension of centerline of Marshall Street to the intersection of the centerline of State Street, thence Northwest following the centerline of State Street to the intersection of the centerline of Jackson Street, thence Southwesterly following the centerline of Jackson Street to the intersection of the centerline of U.S. Highway 50-63, thence Southeasterly following the centerline of U.S. Highway 50-63 to the northerly extension of the western property line of the property owned by the Missouri State Highway Patrol, Plat Book 4, Page 72, Cole County Recorder's Office; thence southwesterly along the Missouri State Highway Patrol property line and the northerly extension thereof to the centerline of Bald Hill Road; thence south following the centerline of Bald Hill Road to the City Limit; thence generally easterly following the southern city limit to the centerline of State Route J; thence continuing to follow the city limit east and north to the center of the Missouri River, thence westerly following the center of the Missouri River to the Point of Beginning. (Ord. 13636, §1, 10-20-2003; Ord. 13636, §1, 10-20-2003)

C. The Second Ward shall be bounded as follows:

Beginning at the southeast corner of the southwest quarter of the southwest quarter of Section 14, Township 44 North, Range 11 West, Callaway County, Missouri, which is a point on the corporate limits line as described in Section 1-17; thence south along the corporate limits line to the center of the Missouri River; thence northwesterly along the center of said River to the point of intersection with the northerly extension of the centerline of Marshall Street; thence south along said extension of the Marshall Street centerline to the centerline of East State Street; thence west along the centerline of East State Street to the centerline of Jackson Street; thence southerly along the centerline of Jackson Street to the centerline of Hickory Street; thence west along the centerline of Hickory Street to the centerline of Adams Street; thence south along the centerline of Adams Street to the centerline of Stadium Boulevard; thence, westerly along the centerline of Stadium Boulevard to the centerline of U.S. Highway 54; thence northerly along the centerline of U.S. Highway 54 to the centerline of Swifts Highway; thence west along the centerline of Swifts Highway to Myrtle Avenue; thence jogging south along the centerline of Myrtle Avenue to the centerline of Swifts Highway; thence continuing westerly along Swifts Highway to the centerline of Southwest Boulevard; thence north along the centerline of Southwest Boulevard to the centerline of Wears Creek; thence westerly along Wears Creek to the centerline of Dix Road; thence northerly along the centerline of Dix Road to the centerline of West Main Street, thence easterly to the centerline of West Circle Drive; thence northerly to the centerline of North Circle Drive, thence easterly to the centerline of Hayselton Drive and continuing northeasterly along said centerline to the intersection with Allen Drive; thence southerly to the south side of Hayselton Drive to a tract of land owned by

Marion Matthes and Marjorie Elaine Herring, Trustee, Book 424, page 764, Cole County Recorder's office; thence southerly along the western property line of the Matthes/Herring tract and eastern boundary line of Riverhills Addition Section 1, recorded in Plat Book 11, Page 281, Cole County Recorder's Office; continuing southerly along the subdivision boundary to the northern boundary line of Riverhills Addition Section 3, recorded in Plat Book 11, Page 376, Cole County Recorder's Office; thence easterly along the subdivision boundary to the southerlymost corner of Lot 5 of Major's Subdivision, Plat Book 5, Page 59, Cole County Recorder's Office; thence continuing north along the east line of said Lot 5 to southwest corner of a tract owned by Paul E. and Rayma L. Chinn, Book 423, Page 977, Cole County Recorder's Office, (formerly Lawrence E., Sr. and Jerena Giffen, Book 298, Page 206, Cole County Recorder's Office); thence easterly along the southern line of said Chinn tract to the southeast corner thereof; thence north along the east line of said Chinn tract and the north extension thereof to the corporate limits, as described in Section 1-17; thence along and with the corporate limits to the point of beginning. (Ord. No. 13351, §1, 3-4-2002)

D. The Third Ward shall be bounded as follows:

Beginning at a point where the centerline of the Missouri River is intersected by the northerly extension of the east line of a tract owned by Paul E. and Rayma L. Chinn, Book 423, Page 977, Cole County Recorder's Office, (formerly Lawrence E., Sr. and Jerena Giffen, Book 298, Page 206, Cole County Recorder's Office); thence south along said northerly extension of the east line of said Chinn tract to the southeast corner thereof; thence westerly along the southerly line of said tract to the southwest corner thereof which is also a point on the east line of Lot 5 of Major's Subdivision, Plat Book 5, Page 59, Cole County Recorder's Office; thence south along the east line of said Lot 5 to the southerlymost corner thereof which is also the northeast corner of Riverhills Addition, Section 3, Plat Book 11, Page 376, Cole County Recorder's Office; thence westerly along the said subdivision boundary to the southwest corner of a tract of land owned by Marion Matthes and Marjorie Elaine Herring, Trustee, Book 424, page 764, Cole County Recorder's office; thence northerly along the west property line of the Matthes/Herring tract and the boundary line of Riverhills Addition Section 1, recorded in Plat Book 11, Page 281, Cole County Recorder's office; to the centerline of Hayselton Drive; thence westerly along the centerline of Hayselton Drive to the centerline of North Circle Drive; continuing westerly along the centerline of North Circle Drive to the centerline of West Circle Drive; thence south along the centerline of West Circle Drive to the centerline of West Main Street; thence westerly along the centerline of West Main Street to the centerline of Dix Road; thence south along the centerline of Dix Road to the centerline of U.S. Highway 50; thence westerly along the centerline of U.S. Highway 50 to the corporate limits; thence along and with the corporate limits, as defined in Section 1-17 to the point of beginning. (Ord. No. 13351, §1, 3-4-2002)

E. The Fourth Ward shall be bounded as follows:

Beginning at a point where the western corporate limits as described in Section 1-17 is intersected by the centerline of U.S. Highway 50; thence easterly along the centerline of U.S. Highway 50 to the centerline of Dix Road; thence southerly along the centerline of Dix Road to the centerline of Wears Creek; thence easterly along the centerline of Wears Creek to the centerline of Southwest Boulevard; thence south along the centerline of Southwest Boulevard to the centerline of Swifts Highway; thence east along the centerline of Swifts Highway to the centerline of Myrtle Avenue; thence jogging north along the centerline of Myrtle Avenue to the centerline of Swifts Highway; thence continuing easterly along the

centerline of Swifts Highway to the centerline of U.S. Highway 54; thence southwesterly along the centerline of U.S. Highway 54 to the centerline of Ellis Boulevard; thence easterly along the centerline of Ellis Boulevard to the centerline of Missouri Highway B; thence southerly along the centerline of Missouri Highway B to the south line of Section 24, Township 44 North, Range 12 West, Cole County, Missouri; thence westerly along the section line to the existing corporate limits; thence along and with the corporate city limits, as defined in Section 1-17, to the point of beginning. (Ord. No. 13351, §1, 3-4-2002)

F. The Fifth Ward shall be bounded as follows:

Jackson Street is intersected by the centerline of U.S. Highway 50-63, thence south along the centerline of Jackson Street to Hickory Street; thence west along the centerline of Hickory Street to the center line of Adams Street; thence south along the centerline of Adams Street to the centerline of Stadium Boulevard; thence westerly along the centerline of Stadium Boulevard to the centerline of U.S. Highway 54; thence southwesterly along the centerline of U.S. Highway 54 to the centerline of Ellis Boulevard; thence easterly along the centerline of Ellis Boulevard to the centerline of Missouri Highway B; thence southerly along the centerline of Missouri Highway B to the south line of Section 24, Township 44 North, Range 12 West, Cole County, Missouri; thence westerly along the section line to the existing corporate limits as described in Section 1-17; thence along the corporate limits to the centerline of Bald Hill Road; thence northwesterly along said centerline to the southerlymost corner of Bird Haven Addition, Plat Book 4, Page 12, Cole County Recorder's Office, which is also the westerlymost corner of property owned by the Missouri State Highway Patrol, Plat Book 4, Page 72, Cole County Recorder's Office; thence northeasterly along the Missouri State Highway Patrol property line to its intersection with the centerline of U.S. Highway 50-63; thence northwesterly along the centerline of U.S. Highway 50-63 to the point of beginning. (Ord. No. 13351, §1, 3-4-2002)

(Ord. No. 9705, §§ 1 - 6, 12-16-81; Ord. No. 9740, § 2, 2-1-82; Ord. No. 10885, 8-17-87; Ord. No. 11647, §1, 10-29-91; Ord. No. 13351, §1, 3-4-2002)

State law reference - Wards required, RSMo. § 77.030.

Sec. 12-38. Extension of Wards to Annexed Areas, Voluntary Annexation.

If an area of land is voluntarily annexed to the City, unless otherwise provided in the annexing ordinance:

- A. If the annexed area borders only one Ward of the City, that annexed area shall become, upon annexation, part of that Ward.
- B. If the annexed area borders more than one existing Ward than the annexed area shall become part of the existing Ward which shares the greatest common boundary with the annexed area.

(Ord. 13638, §1, 10-20-2003)

Sec. 12-39. Extension of Wards to Annexed Areas, Involuntary Annexation.

If an area of land is involuntarily annexed to the City, that land shall be come part of the Ward or Wards provided for in the Plan of Intent, if applicable. If no provision is made in the plan of intent, then such land shall become a

part of a ward as provided for in the foregoing provisions for voluntary annexation.
(Ord. 13638, §1, 10-20-2003)

Sec. 12-40. Reserved.

(Ord. 13638, §1, 10-20-2003)

Editor's note - Ordinance No. 10327, § 1, enacted Nov. 19, 1984, repealed the provisions formerly codified as § 12-37, derived from Ord. No. 9739, § 1, adopted Feb. 2, 1982, and relating voting precincts.

NOTES

1. **Cross reference** - Definitions and rules of construction generally, § 1-2.

State law reference - Municipal authority relative to elections, RSMo. § 77.040.