

## Belton Code of Ordinances Chapter 9 – Elections

### ARTICLE IV. - CANDIDATES

#### Sec. 9-77. - Declaration of candidacy required.

- (a) Nomination of candidates for election to city offices shall be made by declaration of candidacy filed with the city clerk in person. A candidate may file his declaration of candidacy by certified mail if he is either: 1) unable to appear in person because of physical disability, and the declaration is accompanied by a sworn statement of a licensed physician so stating; or 2) a member of the Armed Forces of the United States on active duty, and declaration is accompanied by a sworn statement of the candidate's commanding officer so stating.
- (b) Any person desiring to have his or her name entered as a candidate upon the official ballots at any annual election within the city shall file with the city clerk a written declaration stating his or her full name, residence, the office for which he or she seeks to be a candidate, that if elected to such office he or she will qualify, and that he or she possesses all of the requisite qualifications established for such office by state law and the ordinances of the city.
- (c) No person shall file a declaration of candidacy for one city office and, without withdrawing, file for another city office to be filled at the same election.

(Code 1976, § 9-8; Ord. No. 66-237, § 8, 1-24-1966; Ord. No. 2015-4158, § 1, 12-8-2015)

**State Law reference**— Candidate may not file for more than one office or as a candidate for the same office on more than one ticket in the same election, RSMo 115.351 and 115.355.

#### Sec. 9-78. - Time for filing declaration of candidacy.

Declarations of candidacy for an office to be elected at an annual election shall be filed in the office of the city clerk not earlier than 8:00 a.m. the 16th Tuesday prior to the election, and not later than 5:00 p.m. on the 11th Tuesday prior to said annual election.

(Code 1976, § 9-9; Ord. No. 66-237, § 9, 1-24-1966; Ord. No. 77-913, § 1, 12-27-1977; Ord. No. 79-981, § 1, 2-27-1979; Ord. No. 81-1132, § 1, 3-24-1981; Ord. No. 85-1593, § 1, 12-10-1985; Ord. No. 88-1839, § 1, 9-13-1988; Ord. No. 89-1916, § 1, 9-12-1989; Ord. No. 96-2407, § 1, 10-8-1996; Ord. No. 2003-3011, § 1, 10-28-2003)

**State Law reference**— Time and form for filing declarations of candidacy generally, RSMo 115.349.

#### Sec. 9-79. - Filing fee.

Each declaration of candidacy shall be accompanied by a filing fee in the amount of \$25.00, and the name of the candidate shall not be printed upon any official ballot unless such filing fee has been paid. Filing fees shall not be refundable to any person.

(Code 1976, § 9-10; Ord. No. 66-237, § 10, 1-24-1966; Ord. No. 77-913, § 2, 12-27-1977)

**State Law reference**— Similar provision regarding state and county office candidates, RSMo 115.357.

Sec. 9-80. - Candidates notified of qualification requirements.

- (a) No person shall be eligible to file as a candidate for municipal public office who has been found guilty of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.
- (b) No person shall be eligible to file as a candidate for municipal public office who is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(Ord. No. 2015-4158, § 1, 12-8-2015)

**State Law reference**— Disqualification as candidate for elective public office, when; disqualification from participation in election, when; affidavit to be filed, requirements; investigation of alleged delinquency, RSMo 115.306.

Sec. 9-81. - Preservation of declarations of candidacy.

The city clerk shall cause to be preserved in his or her office, all declarations of candidacy filed therein under the provisions of this chapter. Such declarations may be destroyed after two years.

Sec. 9-82. - Determination of election results.

The city council shall canvass the election returns and declare the results of any municipal election, regular or special, at the next regularly scheduled city council meeting following certification of the election returns by the respective verification board of the county. The candidate receiving the highest number of votes for each office shall be declared elected and inducted into the office at that time.

Secs. 9-83—9-107. - Reserved.