

1 We, the people residing within and for The City of Fairmont,  
2 desiring to amend the charter of said City for its own government, do  
3 hereby ordain, establish and adopt the following amendment to the charter of  
4 The City of Fairmont, in Martin County, Minnesota.

5  
6 Chapter II.

7 Chapter two (2) of the charter of The City of Fairmont, adopted  
8 March 12, 1901, is hereby amended so as to read as follows;

9 I. There shall be held in the City of Fairmont on the first Tuesday of  
10 April in each odd numbered year a general city election for the election of  
11 officers and the transaction of such other business as may properly come  
12 before the people to be voted upon, which election shall be held at such  
13 place in each election precinct as the common council may designate, and the  
14 polls shall be kept open from nine o'clock in the forenoon until four  
15 o'clock in the afternoon.

16 II. Special elections may be held for the purpose of voting upon any  
17 question that may properly come before the electors to be voted upon, and  
18 shall be called by the city clerk upon a proclamation by the mayor, a resolu-  
19 tion passed by the common council, or upon a petition signed by at least one  
20 hundred electors of the city, which proclamation, resolution or petition,  
21 shall be filed with the city clerk at least twenty days before the time of  
22 holding such special election, and shall set forth the purposes of such  
23 election and the specific question or matter to be voted upon.

24 III. The City clerk shall cause public notice to be given of the time  
25 and place of holding all elections, the officers to be voted for, or the  
26 question to be voted upon at such election, by posting notices thereof in  
27 three public places in each election precinct at least fifteen days before  
28 such election.

29 IV. All elections shall be held and conducted in the several election  
30 precincts by one of the aldermen resident therein, who shall act as judge of  
31 election, and two electors in each ward, to be chosen by the common council,  
32 who shall act as clerks of election, each of whom shall take the usual oath  
33 as judges and clerks of election, provided, that no candidates for office at  
34 such election shall act as judge or clerk, and in case of the refusal or  
35 inability of any such alderman or elector to act, the mayor shall fill such  
36 vacancy by appointment.

37 V. The method of voting shall be by ballot, a plurality of votes shall  
38 elect, and if two or more persons receive an equal number of votes for the  
39 same office the election shall be determined by the casting of lots, in the  
40 presence of the common council, and in such manner as it shall direct.

41 VI. On the second Tuesday before any election the common council shall  
42 meet at the office of the city clerk, and cause a list to be made in  
43 alphabetical order of the names of all persons entitled to vote in each  
44 precinct at such election, for the use of the clerks of election upon  
45 election day.

46 VII. At least twenty days before the day on which any election is held, ~~xx~~  
47 any person who shall be eligible to an office which he seeks shall file with  
48 the city clerk an affidavit to the effect that it is, bona fide, his intention  
49 to be a candidate for the election to such office, specifying the office to  
50 which he aspires, and upon payment to the city clerk for the benefit of the  
51 city of the sum of two dollars, the city clerk shall place his name upon the  
52 official ballot to be used at such election.

53 VIII. On the second Tuesday before any election the city clerk shall cause  
54 to be prepared a ballot containing the names of all candidates for office  
55 who shall have complied with the provisions of this charter, as well as all  
56 questions and propositions to be voted upon at such election.

57 The city clerk shall thereafter cause to be printed a sufficient  
58 number of ballots, upon plain white paper, which shall be distributed by  
59 him to the judges of election in each precinct before the hour of eight  
60 o'clock in the forenoon on the day of such election, by delivering to such  
61 judge of election one hundred ballots for every seventy-five names upon the

1 list of electors provided for in section six of this chapter, together with  
a copy of such list.

2 IX. Every ballot used at such election shall be in form substantially the  
same as provided for by chapter four of the general laws for 1893 of the  
3 State of Minnesota for the state ballot, and where there are two or more  
candidates for the same office, their names shall appear on the ballot in  
4 the order as to time in which their affidavits were filed with the city  
clerk.

5 X. All persons entitled to vote for state officers under the laws of  
this state, who shall have resided in the city for thirty days and in the  
6 election precinct for ten days next preceding any general or special elect-  
ion, shall be entitled to vote thereat.

7 XI. When the polls are opened the judge of election shall take  
possession of the ballot box and all ballots furnished to such precinct,  
8 and when an elector appears for the purpose of voting, such judge of  
election shall hand to such elector a ballot.

9 The elector shall then retire alone to a booth provided for that  
purpose and there prepare his ballot by placing cross marks in the small  
10 squares immediately to the right of the proposition to be voted upon or the  
candidate for whom he desires to vote, being careful not to vote for more  
11 candidates for an office than there are persons to be elected, as indicated  
upon the margin of the ballot.

12 When an elector has so marked his ballot, he shall fold it so as to  
conceal the face thereof and hand the same to the judge of election, who  
13 shall, without opening the same, deposit the same in the ballot box, first  
announcing the name of the elector, when the clerk having charge of the poll  
14 list shall mark opposite the name of such elector the word "voted"; and at the  
same time the other clerk shall register the name of the elector in a  
15 register provided for that purpose, and each of said clerks shall number  
such elector upon such poll list and register ~~th~~ in consecutive order, hav-  
16 ing reference to the order in which the electors voted.

17 XII. The elective officers of the city shall be a mayor, treasurer, city  
clerk, two justices of the peace, and seven aldermen, two of which aldermen  
18 shall be elected by and from the electors of each ward of the city, respect-  
ively, and who shall at the time of their election be bona fide residents  
of their respective wards, and one alderman to be elected by and from the  
19 city at large: all of which officers shall be qualified electors of the  
city, and shall hold their respective offices for the term of two years,  
20 commencing on the first Tuesday next following their election, and until  
their successors are elected and qualified.

21 All other officers shall be appointed by the mayor, except as in  
this charter otherwise provided.

22 XIII. Any person elected or appointed to any office under the provisions  
of this charter, who, for any cause, fails to qualify and enter upon the  
23 discharge of his duties as such officer, shall be deemed to have vacated  
the same.

24 Whenever a vacancy occurs in any elective office, such vacancy shall  
be filled for the unexpired term by appointment by the common council, and  
25 whenever any vacancy occurs in any appointive office, the same shall be  
filled by appointment by the mayor.

26 XIV. Any person elected or appointed to an office under the provisions  
of this charter shall, before he enters upon the discharge of the duties  
27 of his office, take and subscribe an oath of office and file the same with  
the city clerk, and also execute to the city a bond in such an amount and  
28 with such sureties and conditions as the common council may prescribe and  
approve except as in this charter otherwise provided.

29 XV. When the polls at any election are closed, the number of votes cast  
upon any proposition, or for any person, shall be counted by the judge and  
30 clerks of election, who shall forthwith make return thereof to the common  
council, stating therein the number of votes cast for each person for each  
31 office, as well as the number of votes cast for or against any proposition  
voted upon, and cause the same to be forthwith filed with the city clerk.

32 XVI. The common council shall meet on the Thursday next following such  
election and canvas such returns and declare the result as it appears  
33 therefrom. The city clerk shall thereupon forthwith prepare and mail to  
the persons so declared elected a certificate of their election.

34 XVII. The common council shall have full power and authority to pass and  
enact any and all ordinances which it may deem necessary to carry into  
35 effect the provisions of this chapter, and to define in detail the duties of

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all judges and clerks of election, provide for the challenging of all voters, define illegal voting, and all other offenses against the provisions of this chapter, and prescribe the punishment therefor.

XVIII. All acts, sections, provisions and parts of the charter of the City of Fairmont now in force and inconsistent with the provisions hereof, are hereby repealed.

State of Minnesota }  
County of Martin } ss  
The City of Fairmont }

I, William Wiesselman, Mayor of

The City of Fairmont, Martin County, in the State of Minnesota, do hereby certify that a special election was duly held in said city on April 5, 1904, under the General Election Laws of the State of Minnesota, and that the above and foregoing amendment to the charter of The City of Fairmont, being proposed amendment number two (2), Chapter two (2), was duly ratified by the qualified voters voting at said election.

That at said election the total number of votes cast was ~~thirty nine~~ <sup>(349)</sup> and that the foregoing amendment, being proposed amendment number two (2), chapter two (2) of the said City of Fairmont, received and was accepted by three-fifths of the qualified votes of said City voting at said special election.

That the above and foregoing amendment so proposed, accepted and ratified, is a true and correct copy of the original proposed amendment number two (2), chapter two (2) and the whole thereof, and was duly accepted, ratified and adopted at said election, and as herein set forth.

WITNESS My Hand and seal of said City of Fairmont, in Martin County, Minnesota, this 25<sup>th</sup> day of April, A.D. 1904.

Attest:

E. L. Lewis  
Clerk.

Wm. Wiesselman  
Mayor City of Fairmont, Martin  
County, Minnesota.

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