

ORDINANCE #66328
Board Bill No. 211

An ordinance submitting to the qualified voters of the city of St. Louis a proposed amendment to the charter of the city of St. Louis restructuring the board of aldermen as a body of fifteen aldermen representing fifteen wards, providing for the selection of the president of the board of aldermen from the members of the board of aldermen, providing a transition schedule for such changes, and other related matters; providing for an election to be held for voting on the proposed amendment and for the manner of voting; and for the publication, certification, deposit, and recording of this ordinance; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. This ordinance shall be known as the "Board of Aldermen Amendment Ordinance." The following amendment to the Charter of the City of St. Louis is hereby proposed and submitted to the voters of the city and to be voted upon at an election to be held as hereinafter provided.

The said amendment is in words and figures as follows:

Part A. Section 3 of Article I of the Charter of the City of St. Louis is hereby repealed and enacted in lieu thereof is one amended Section within Article I which shall be and read as follows:

Section 3 Wards.

Until December 31, 2011, the city is hereby divided into 28 wards, bounded and numbered as the wards of the city now are; Beginning January 1, 2012, and thereafter, the city shall be divided into 15 wards, which ward boundaries shall be based upon the 2010 decennial census of the United States of America, and each decennial census thereafter, and corrected ward boundaries shall be established by ordinance which shall comprise as nearly as practicable, compact and contiguous territory within straight lines, and

contain as nearly as may be the same number of inhabitants; such ordinance shall be adopted before the end of the calendar year next succeeding the year the census is taken., with an effective date of the first day of the subsequent calendar year.

Part B. Sections 3 and 4 of Article II of the Charter of the City of St. Louis is hereby repealed and enacted in lieu thereof are two amended Sections within Article II which shall be and read as follows:

Section 3 Alderman.

At the general city election in 1915 one alderman from each odd-numbered ward shall be elected for a term of two years, and at the same election, and every four years thereafter, one alderman from each even-numbered ward, and a president of the board of aldermen, shall be elected, each for a term of four years; however, the aldermen from each even-numbered ward and the president elected at the general city election in 2011 shall be elected for a term of two years; the aldermen from each even-numbered ward elected at the general city election in 2013 shall be elected for a term of two years; the aldermen from each even-numbered ward elected at the general city election in 2015, and every four years thereafter, shall be elected for a term of four years. At the general city election in 1917, and every four years thereafter, one alderman from each odd-numbered ward shall be elected, each for a term of four years.

Section 4 General ticket required for elective officers.

Every elective city officer, including the president (while said president remains an elective office) and members of the board of aldermen, shall be elected by a general ticket; provided, that whenever the constitution and laws of the state permit, each alderman shall be elected only by the voters of the ward from which the alderman is elected.

Part C. Section 1, 2, and 3 of Article IV of the Charter of the City of St. Louis is hereby repealed and enacted in lieu thereof are three amended Sections within Article IV which shall be and read as follows:

Section 1 Composition.

The legislative power of the City of St. Louis shall, subject to the limitations of this charter, be vested in a board of aldermen consisting of a president, and twenty-eight members before the first day of the annual general session of the board of aldermen in April, 2013, and fifteen members thereafter, one from each ward, to be elected only by the qualified voters of the ward he or she is a candidate to represent, and to be known as alderman or alderwoman from the ward from which elected. Provided, that aldermen heretofore elected shall remain in office until the end of the terms for which they were, respectively, elected, and provided further that in case of a vacancy, the alderman or alderwoman elected to fill such a vacancy shall be chosen by the qualified voters of the ward from which he or she is elected.

Section 2 Qualifications and salary.

No person shall become an alderman except a voter at least twenty-five years of age, and who shall have been next before his or her election five years a citizen of the United States, three years a resident of the city, two years an assessed taxpayer of the city, and one year a resident of the ward from which elected, nor who shall have been convicted of malfeasance in office, bribery, or other corrupt practice or crime; and if any alderman shall be so convicted or shall at any time not be a resident of such ward, the alderman shall thereby forfeit the office. However, in the event that an alderman ceases to reside within the ward to which he or she was elected due solely to redistricting of the wards pursuant to Article I, Section 3 of this Charter, said alderman shall not immediately forfeit office, but shall remain in office with all attendant powers and duties during the remainder of said alderman's then-existing term of office, and until qualification of the alderman of the redistricted ward elected at the next succeeding general city election. The salary of each alderman shall be as established by ordinance.

Section 3 President.

The president of the board of aldermen shall preside at all meetings and, while said office remains an elective office, have the qualifications and forfeit the office for the causes provided with regard to the mayor. On the first day of the annual general session of the board of aldermen in April, 2013 and every two years thereafter, the board shall choose its president from its membership to serve for a term of two years.

Part D. Severability

All sections of this amendment are hereby declared to be independent sections and parts of sections. It is hereby declared to be the controlling legislative intent that if any section or part of a section, or the application thereof to any person or circumstance is held invalid for any reason, then the remaining sections and parts of sections shall not be affected thereby, and it is hereby declared that this amendment would have been passed independently of such section or parts of a section so held to be invalid.

Part E. Effective date of amendment.

This amendment shall take effect ten (10) days after the date of approval of the voters of the City of St. Louis.

SECTION TWO. The foregoing proposed amendment to the Charter of the City of St. Louis shall be submitted to the qualified voters of the City at the next State or City election at which this proposal can be lawfully submitted, and if said proposed amendment shall receive in its favor the number of votes required by law, such amendment shall be adopted and become a part of the Charter of the City of St. Louis from the date of said election or such other date as prescribed in said amendment. Qualified voters of the City of St. Louis may at the election aforesaid vote a ballot in substantially the following form:

OFFICIAL BALLOT
CHARTER AMENDMENT
(Board of Aldermen Amendment)

Shall the Charter of the City of St. Louis be amended in accordance with the Board of Aldermen Amendment Ordinance?
This amendment restructures the Board of Aldermen of the City of St. Louis as a body of fifteen Aldermen representing fifteen wards, provides for the Board of Aldermen to select its President from its membership, provides for a transition schedule to implement the restructuring, and other related matters, all as set forth in the "Board of Aldermen Amendment Ordinance," a copy of which is available at all polling places.

YES []
NO []

Instructions to Voters: If you are in favor of the question, place an X in the box opposite 'YES'. If you are opposed to

the question, place an X in the box opposite 'NO'.

The Board of Election Commissioners shall provide the ballots or voting machines or both and conduct the election and shall ascertain and certify the result thereof according to the law. If voting machines are used, the aforesaid "OFFICIAL BALLOT" shall be placed or posted on the said voting machines wherever said machines are used under the direction of the Board of Election Commissioners for the City of St. Louis and according to law.

SECTION THREE. Upon the approval of this ordinance, it shall be published in the City Journal, the official publication of the City of St. Louis, Missouri. Proof of the publication of this ordinance shall be made by affidavit of the City Register, and such affidavit shall be filed in the office of the City Register and a copy of such publication shall be attached thereto.

SECTION FOUR. Upon the approval of this amendment to the Charter of the City of St. Louis, it shall be certified, deposited and recorded as required by Article VI, Section 33 of the Constitution of Missouri.

SECTION FIVE. This being a bill calling for an election for submission to the people of an amendment to the Charter of the City of St. Louis, it is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

Approved: July 23, 2004