

## ORDINANCE 1-2021

### AN ORDINANCE AMENDING ARTICLE II, CHAPTER 2, SECTION 2-18 OF THE CITY OF OWENSBORO CODE OF ORDINANCES REINSTATING THE NONPARTISAN PRIMARY FOR THE ELECTION OF CANDIDATES FOR THE CITY OFFICES OF MAYOR AND COMMISSIONERS.

**WHEREAS**, KRS 83A.045 authorizes cities of the home rule class to determine whether they will or will not conduct nonpartisan primaries for election of candidates for elected city offices; and

**WHEREAS**, on July 7, 2015, the Owensboro Board of Commissioners passed an ordinance eliminating nonpartisan primary elections; and

**WHEREAS**, the Owensboro Board of Commissioners wishes to reinstate the practice of conducting nonpartisan primaries in future elections.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:**

**Section 1.** Section 2-18 of Chapter 2, Article II of the Owensboro Municipal Code to state as follows:

#### ELECTIONS.

(a) All members of the Board of Commissioners shall be elected by nonpartisan elections and pursuant to the provisions of KRS 83A.040 and 83A.045(2), ~~[83A.045(2)(b)]~~, with all members of the Board of Commissioners being elected on a city-wide basis.

(b) The nonpartisan primary election of candidates for elected city offices shall be conducted in accordance with KRS 83A.043, 83A.045(2)(a), and 118.025. ~~[is hereby eliminated.]~~

(c) All candidates for elected city offices shall file their nomination papers with the Daviess County Clerk in accordance with the provisions of KRS 83A.045, ~~[83A.045(2)(b)]~~.

(d) The number of candidates equal to the number of city offices to be filled who receive the highest number of votes cast in the regular election for each city office shall be elected.

**Section 2.** The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of

invalidity shall not affect the validity of the remainder of this Ordinance.

**Section 3.** All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

**Section 4.** In accordance with KRS 83A.050(1), immediately after publication of this ordinance, a copy shall be filed with the office of the Daviess County Clerk.

**INTRODUCED AND PUBLICLY READ ON FIRST READING**, this the 5th day of January, 2021.

**PUBLICLY READ AND FINALLY APPROVED ON SECOND READING**, this the 19th day of January, 2021.

---

Thomas H. Watson, Mayor

ATTEST:

---

Beth Cecil, City Clerk