

25-R-20

A RESOLUTION

Providing for Nominating Petitions for the Office of Mayor

WHEREAS, the City of Evanston is a home rule municipality under Article VII of the 1970 Illinois Constitution; and

WHEREAS, the Illinois Municipal Code provides the statutory parameters for non-partisan elections to determine if a primary is needed for every municipal office; and

WHEREAS, the Illinois Municipal Code, under non-partisan elections, requires a primary for an office if five or more persons have timely filed nominating papers seeking nomination for election to the respective office and no primary is needed when not more than four persons have timely filed (65 ILCS 5/3.1-20-45) (emphasis added); and

WHEREAS, in 1992, the voters of the City of Evanston approved a referendum question which changed the described statutory framework only for the Office of Mayor, this referendum provided for a primary election, if necessary, for the Office of Mayor of the City of Evanston if more than two candidates filed petitions; and

WHEREAS, additionally, the City Council approved Resolution 69-R-92 (attached as Exhibit A) "Providing for Nominating Petitions for the Office of Mayor" which set forth the petition filing deadline for the Office of Mayor. The 1992 resolution was passed in the event the referendum question passed and set the filing deadline at 90 days prior to the primary; (see Section 2, 69-R-92); and

WHEREAS, on December 9, 2019, City Council adopted Resolution 120-R-19 which provides for a referendum question to be placed on the March 17, 2020 ballot which states:

“Shall the City’s offices of mayor, city alderman, and city clerk be elected in nonpartisan elections and, if necessary, non-partisan primaries commencing with the election to be held in 2020 and thereafter?”

WHEREAS, the Election Code of the State of Illinois provides for a period times for the circulation of petitions for persons seeking nomination in a primary election; and

WHEREAS, If the citizens of Evanston pass the aforementioned referendum at the March 17, 2020 election to hold nonpartisan elections, the period of time for filing petitions under state law will change; and

WHEREAS, it is the desire of the City Council that all persons desiring to run for the office of Mayor shall have a full opportunity to circulate petitions within the time frame provided by law,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: If the aforementioned referendum question posed to the voters on March 17, 2020 is adopted, it is binding, and all subsequent elections for the office of Mayor petitions for said primary, shall be circulated and filed in the manner provided by state law for nonpartisan elections. In the event that no primary election is held by reason of no more than two candidates having filed for nomination, then no

further petitions shall be required for the regular election held in the succeeding April election for the office of Mayor.

SECTION 3: This resolution repeals and replaces Resolution 69-R-92.

SECTION 4: Resolution 25-R-20 shall be in full force and effect from and after its passage and approval in the manner provided by law.



Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:



Kelley A. Gandurski, Corporation
Counsel

Adopted: _____ July 27 _____, 2020

EXHIBIT A
RESOLUTION 69-R-92

A RESOLUTION

Majority Vote to be
Elected Mayor

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: It is the determination of the Council of
the City of Evanston that the following question of public policy
shall be submitted to the voters of the City of Evanston as a
referendum at the election scheduled for November 3, 1992, to
wit:

"Shall the Mayor of the City of Evanston be elected in
the following manner commencing with the election to
be held in 1993 and thereafter: If more than two
candidates for Mayor shall have filed for election, a
primary shall be held and the two candidates receiving
the highest number of votes shall stand for election in
the Regular Election, except if one candidate shall
receive more than fifty percent (50%) of the votes cast
at the primary, that candidate shall have been elected
Mayor for a term commencing the first City Council
meeting after the Regular Election?"

SECTION 2: Said referendum shall be a binding
referendum pursuant to Article VII of the Illinois Constitution
of 1970 and the Illinois Election Code.

SECTION 3: Said referendum shall be conducted, in
all respects, in accordance with the provisions of the Illinois
Election Code pertaining to the conduct of the November 3, 1992
election, and with the Ordinance providing for the pertinent
publications, ballots, polling places and election judges
relating to such election.

SECTION 4: This resolution shall be in full force and effect following its passage and approval in the manner provided by law.

Frank W. Barr
Mayor

ATTEST:

Hester Davis
City Clerk

Adopted: August 24, 1992

Providing for Nominating Petitions
for the Office of Mayor

WHEREAS, the City Council of the City of Evanston has provided for a referendum to be held on November 3, 1992, which referendum provides for the possible primary election for the office of Mayor of the City of Evanston; and

WHEREAS, the Election Code of the State of Illinois provides for a period of 90 days for the circulation of petitions for persons seeking nomination in a primary election; and

WHEREAS, it is the desire of the City Council that all persons desiring to run for the office of Mayor in a primary, if established by referendum, shall have a full opportunity to circulate petitions within the time frame provided by law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON;

SECTION 1: That all persons seeking to run for the office of Mayor in a primary election to be held in February, 1993, if such primary is established, shall begin to circulate petitions for said nomination for the office of Mayor commencing on September 15, 1992, which said date is 90 days prior to the deadline for filing petitions for nominations. That, in the event the referendum of November 3, 1992 shall not be adopted, then all such petitions shall be null and void. All persons desiring to run for the office of Mayor in the regular election to be held

in April, 1993 shall then file petitions within the time provided by law for said regular election of April, 1993.

SECTION 2: That in the event the referendum of November 3, 1992 shall be adopted then for all subsequent elections for the office of Mayor, petitions for said primary shall be circulated commencing 90 days prior to the deadline for filing said petitions for primary elections in the manner provided by law. In the event that no primary election is held by reason of no more than two candidates having filed for nomination, then no further petitions shall be required for the regular election for mayor to be held in the succeeding April.

SECTION 3: That this resolution is adopted for the purpose of guaranteeing to all candidates the time for filing of petitions in the manner provided by law and shall be construed as providing such times as may be required by law.

SECTION 4: That this resolution shall be in full force and effect following its passage and approval in the manner provided by law.

Paul W. Barr
Mayor

ATTEST:

Austen Davis
City Clerk

Adopted: August 24, 1992