

Section 33-32. Election of Mayor.

On the second Wednesday of May in 1965 and every odd year thereafter, one person shall be elected at large to serve as Mayor for a two year term. (Ch. Res. No. 1, August 21, 1963, sec. 32.)

Section 33-33. Election of Councilmen.

On the second Wednesday of May in 1964 and every odd year thereafter, one person from each Ward shall be elected by the qualified voters of his Ward to serve as Councilman for a two year term.

On the Second Wednesday of May in 1965 and every even year thereafter, one person from each Ward shall be elected by the qualified voters of his Ward to serve as Councilman for a two year term. (Ch. Res. No. 1, August 21, 1963, sec. 33.)

Section 33-34. Conduct of elections.

(a) *Non-partisan.* All municipal elections shall be conducted on a non-partisan basis, and no ballot shall carry any party affiliation.

(b) *Voting places and ballots.* It shall be the duty of the Town Board of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office or by Wards for Councilmen. If ballots are used, the Board shall prepare a separate ballot for each Ward containing the names of the candidates for Mayor and for Councilman from that particular Ward. Write-in votes shall be permitted.

(c) *Hours.* The Town Board of Elections shall keep the polls opened from 11:00 a.m. to 8:00 p.m. on election days, or for longer hours if the Mayor and Council require it. (Ch. Res. No. 1, August 21, 1963, sec. 34; Res. No. 1, May 19, 1989.)

Section 33-35. Special elections.

All special Town elections shall be conducted by the Town Board of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections. (Ch. Res. No. 1, August 21, 1963, sec. 35; Res. No. 1, May 19, 1989.)

Section 33-36. Vote count.

Immediately after the closing of the polls, the Board of Registrations and Elections shall determine the vote cast for each candidate or question and shall certify the results of the election to the Town Clerk who shall record the results in the minutes of the Council. The candidate for Mayor with the highest number of votes in the general election shall be declared elected as

Garrett Park

Section 1-25. Notice.

The Board of Supervisors of Elections shall give at least two (2) weeks' notice of every registration day and every election by an advertisement published in at least one (1) newspaper of general circulation in the town and by posting a notice thereof in some public place or places in the town.

Section 1-26. Registration.

Citizens of the Town of Fairmount Heights may register to vote at the Town Hall, during business hours, throughout the year. Registration shall be permanent, and no person shall be entitled to vote in town elections unless he is registered. It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up to date by striking from the lists persons know [known] to have died or to have moved out of the Town. The Council, by ordinance, shall adopt and enforce any provisions necessary to establish and maintain a system of permanent registration, and to provide for re-registration when necessary.

Section 1-27. Appeal.

If any person shall feel aggrieved by the action of the Board of Supervisors of Elections in refusing to register or in striking off the name of any person, or any other action, such person may appeal to the Council. Any decision or action of the Council upon such appeals may be appealed to the Circuit Court for the county within thirty (30) days of the decision or action of the Council.

Section 1-28. Nominations.

Persons shall be nominated for elective office in the town by a certificate of nomination signed by fifteen (15) registered voters in the town. Persons shall be nominated for Mayor in the town by filing a certificate of nomination signed by twenty-five (25) voters in the town. Such certificate shall state the following: (1) The office for which the candidate is seeking the nomination, (2) the name of the candidate, (3) a statement that the signers of the certificate are registered voters, (4) the signers support the nomination of the named candidate. The certificate shall be filed with the Clerk of the Council or the Chairman of the Board of Supervisors of Elections at least fifteen (15) calendar days prior to the election. No person shall file for nomination to more than one (1) elective town public office or hold more than one (1) elective town public office at any one time.

Section 1-29. Election of Mayor and Councilmembers.

On the first Monday of May in every year, the qualified voters of the Town shall elect three (3) persons as Councilmembers to serve for terms of two (2) years, and in every odd-numbered year the voters shall elect one (1) person as Mayor to serve for a term of two (2) years. In the case of any precise tie between two (2) Councilmembers which would prevent one of them from holding office, a run-off election shall be held within the next thirty (30) days.

shall appoint one member as chairman. Vacancies shall be filled by the mayor with the approval of the council for the remainder of the unexpired term. The compensation of the judges shall be determined by the council. (Reso. 4-26-71.)

Section 78-22. Registration.

The clerk-treasurer shall be in charge of the registration of voters. Qualified persons not registered to vote may register at the Town Hall on the last Saturday in March in each year, and at such other times or places as the clerk-treasurer or the council may designate. No person is entitled to vote in town elections unless he is registered at least thirty days prior to the election. The council, by ordinance, shall adopt and enforce any provisions necessary to establish and maintain a system of permanent registration and provide for a reregistration when required. (Reso. 4-26-71.)

Section 78-23. Nominations.

Persons may be nominated for elective office in the town at a town meeting in March or by petition signed by ten registered voters and filed with the clerk-treasurer at least twenty-one days before the date of the next town election. (Reso. 4-26-71.)

Section 78-24. Election of mayor and councilmen [council members].

On the first Monday in May in every even numbered year, the qualified voters of the town shall elect one person as mayor and two persons as councilmen [council members] to serve for terms of two years; on the first Monday in May in every odd numbered year the qualified voters of the town shall elect three persons as councilmen [council members] to serve for terms of two years. The newly elected mayor and councilmen [council members] shall take office as soon after the election as qualified. Vacancies shall be filled in accordance with the provisions of section 78-13. (Reso. 4-26-71.)

Section 78-25. Conduct of elections generally.

It is the duty of the judges of elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order for each office with no party designation of any kind. The judges of election shall keep the polls open from 7:00 A.M. to 11:00 A.M. and 4:00 P.M. to 7:30 P.M. on election days or for longer hours if the council requires it. (Reso. 4-26-71.)

Section 78-26. Vote count.

Within twenty-four hours after the closing of the polls, the judges of elections shall determine the vote cast for each candidate or question and shall certify the results of the elections to the clerk-treasurer of the town, who shall record the results in the minutes of the council. The candidate for mayor with the highest number of votes in the general election shall be declared

preceding five (5) years, the above sworn statement that said person or persons has not voted for the required period should be signed by one of the board of election supervisors or a person designated by the Commission and the above notice should be posted and mailed. If at any time before this name is stricken off, such person shall present himself to any member of said board, and take oath that he still is a bona fide resident of said town his name shall not be stricken off. Any person who so swears that he is such bona fide resident when in truth he is not such bona fide resident shall be guilty of the crime of perjury, and subject to the penalties provided by the law of the State of Maryland. Any person whose name has been stricken off the list of eligible voters shall not be permitted to vote unless and until he shall again register at the next regular registration. The commission, by ordinance, shall adopt and enforce any provisions necessary to establish and maintain a system of permanent registration and provide for a reregistration when necessary. (Ch. Amd. 85-2, 2-28-85; Res. No. 86-2, 4-3-86; Res. No. 86-5, 1-29-87; Res. No. 88-1, 2-2-89; Res. No. 93-2, 6-3-93.)

Section 27. Same – Appeal from action of board of election supervisors.

If any person is aggrieved by the action of the board of election supervisors in refusing to register or in striking off the name of any person, or by any other action, he may appeal to the commission. Any decision or action of the commission upon such appeals may be appealed to the circuit court for the county within the time allowed for such appeals.

Section 28. Filing certificate of nomination.

Persons may be nominated for elective office in the town by filing a certificate of nomination at the office of the board of election supervisors at least thirty (30) days before a town election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time. The certificate of nomination shall state the ward for which election is sought, or that the nominee shall run at large. The certificate of nomination shall also recite that the nominee is qualified in accordance with Section 7 hereof. The certificate shall be signed by the nominee and also by at least five registered voters of the ward from which the nominee seeks election, or from anywhere in the town if the nominee seeks election as the at large commissioner. The signature of the nominee shall be under oath, both as to the fact of his eligibility and as to the genuineness of the other signatures on the certificate.

Section 29. Election of commissioners.

Annually, on the first Monday in May, if not a legal holiday, and if a legal holiday then on the day following, said board of election supervisors shall conduct an election by ballot for the election of commissioners for those seats becoming vacant. In even-numbered years the seats from wards 2, 3 and 4 become vacant, and in odd-numbered years the seats from ward 1 and the commissioner at large become vacant. The ballots shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The form of ballot shall be reviewed for form and legal sufficiency by the Town Attorney. Said election shall be held at the regular meeting place of the Cottage City Commission and the polls shall be open and the ballots

cast between the hours of 2 o'clock, p.m., and 8 o'clock, p.m. At such election each registered voter shall be allowed to vote for a candidate from each of the four wards and for a candidate for commissioner at large. (Res. No. 92-3, 10-29-92; Res. No. 99-1, 4-1-99.)

Section 30. Special elections.

All special town elections shall be conducted by the board of election supervisors in the same manner and with the same personnel, as far as practicable, as regular town elections.

Section 31. Vote count.

After the polls are closed on the night of the election, the board of election supervisors shall count the votes and the candidate from each ward who shall have received the greatest number of the votes cast shall be deemed to be the elected commissioner from such ward, and the at large candidate who shall have received the greatest number of the votes cast for the at large candidate shall be deemed to be the commissioner elected at large. In counting the votes, no ballot shall be rejected because the voter casting same shall have voted for only one candidate, nor shall a ballot be rejected because of the manner it was filled out unless the markings on the ballot cast doubt on who the voter wished to vote for. No write-in votes shall be counted.

Section 32. Preservation of ballots.

All ballots used in any town election shall be preserved for at least one year from the date of the election.

Section 33. Regulation and control by commission.

The commission has the power to provide by ordinance in every respect not covered by the provisions of this charter for the conduct of registration, nomination, and town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

Section 34. Election related violations; penalties.

Any person who wilfully or corruptly does anything which will or will tend to affect fraudulently any registration, nomination or town election, is guilty of a misdemeanor. Any officer or employee of the town government who is convicted of a misdemeanor under the provisions of this section shall immediately upon conviction thereof cease to hold such office or employment.

registered voter. We, the undersigned, qualified electors in said town request the candidacy of

Name	Ward	Street

Section 28. Election of Mayor and Councilmen.

On the first Tuesday in November 2001 and on the first Tuesday in November every fourth year thereafter, the qualified voters of the town shall elect one person as Mayor of said town, who shall have the necessary qualifications as hereinbefore provided. The Mayor so elected shall serve a term of four years, or until his successor is elected and qualified.

On the first Tuesday in November 2001 the qualified voters of the town shall also elect two persons to be members of the council of said town, one each from the 1st and 3rd wards, who shall have the necessary qualifications as hereinbefore provided. The councilmen so elected from the 1st and 3rd wards shall serve a term of 4 years, or until their successors are elected and qualified. The councilmen from the 2nd and 4th wards shall complete their present term of 4 years, or until their successors are elected and qualified. Thereafter, commencing with the first Tuesday in November 2003 and on the first Tuesday in November in every second year thereafter, the qualified voters of the town shall elect two persons to be members of the Council of said town, who shall have the necessary qualifications as hereinbefore provided, and who shall serve a term of four years, or until their successors are elected and qualified. (Res. No. 2-01, 3-27-01.) (See note (3))

Section 29. Conduct of elections generally.

It shall be the duty of the board of supervisors of elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The board of supervisors of elections shall keep the polls open from 7:00 A.M. to 8:00 P.M. on election days or for longer hours if the council requires it.

Section 30. Absentee Voting.

The Mayor and Council shall make provisions for an absentee ballot for those persons who are qualified to vote and may be unavoidably absent from Chestertown for any reason on election day or for those persons who are qualified to vote and whose physical disability will prevent them from being present at the polls on election day.

(b) *Certification.* The Board of Supervisors of Elections shall determine whether the request for certification meets all of the requirements provided in subsection (a) of this section and whether the candidate meets the qualifications of the office for which he or she has been nominated. The Board of Supervisors of Elections shall certify all qualified nominees as candidates for the City general election at least twenty-five (25) days prior to the date set for such election.

Section 508. Election of Mayor and Commissioners.

(a) The City shall be divided into two wards. On the first Monday in May 2006 and in every fourth year thereafter the qualified voters of both wards in the City shall elect one person to serve as Mayor and one person from each ward to serve as Commissioner from their ward.

(b) On the first Monday in May 2007 and in every fourth year thereafter the qualified voters of each ward of the City shall elect one person from each ward to serve as Commissioner from their ward.

(c) In every election for Commissioners only the qualified voters of the ward who the candidate will represent may vote. The Mayor shall run at large. If in any election year the first Monday in May is a legal holiday, then the election shall take place on the following day that is not a legal holiday. (Res. No. DH 06-03, 4-21-06.)

Section 509. Election Wards.

The two wards of the City shall be divided by a line following Rochelle Avenue south to Elmhurst Street; east on Elmhurst Street to Edfeldt Drive; south on Edfeldt Drive to Foster Street; west on Foster Street to Driver Place; south on Driver Place to Gateway Blvd.; east on Gateway Blvd. to Marbury Drive; south on Marbury Drive to Kipling Parkway; east on Kipling Parkway to the City limits. The entire area of the City lying east and north of this line shall constitute the First Ward. The entire area lying west and south of this line shall constitute the Second Ward.

Section 510. Conduct of Elections.

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from 10:00 a.m. to 8:00 p.m. on election days or for longer hours if the Commission deems it necessary.

more than one (1) elective town public office or hold more than one (1) elective town public office at any one time. (Res. No. 14-19-82, 6/29/82.)

Section DC4-22. Primary election.

If necessary, a primary election shall be held in the town on the fourth Tuesday in September in every odd-numbered year in order to select candidates for the general election on the third Tuesday in November. If no more than two (2) persons per available position have filed as candidates, no primary election shall be held; in such instances, the persons who have filed for Mayor and Commissioners shall be considered as nominees and their names shall be placed on the ballots or voting machines at the general election. Of the candidates participating in the primary election, a maximum of two (2) candidates per available position shall be chosen as nominees for the general election. This slate of candidates for the general election will consist of those candidates who received the highest number of votes in the primary election. (Res. No. 15-1982, 6/29/82.)

Section DC4-23. Election of Commissioners and Mayor.

A. On the third Tuesday in November in every odd-numbered year, the qualified voters of the town shall vote in a general election. In the first general election and alternating general elections thereafter, the voters shall elect two (2) Commissioners to serve for terms of four (4) years and a Mayor. In the second general election and alternating general elections thereafter, the voters shall elect two (2) Commissioners to serve for terms of four (4) years and a Mayor.

B. Notwithstanding subsection A hereof, Commissioners shall be elected in the years 1983 and 1985 as follows:

1. In 1983, one Commissioner only shall be elected, and he shall serve for a term of four (4) years;

2. In 1985, three Commissioners shall be elected, the two receiving the highest number of votes shall serve for a term of four (4) years and the third Commissioner receiving the third highest number of votes shall serve for a term of two (2) years.

C. From and after 1987, Commissioners shall be elected in accordance with subsection A hereof. (Res. No. 16-1982, 6/29/82.)

Section DC4-24. Conduct of elections generally.

It is the duty of the Board of Supervisors of Elections to provide for each special, primary and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order, by office, with no party designation of any kind. The Board of

and as may be amended from time to time, shall qualify said person to vote in all municipal elections or referendums provided said registration is effective by noon on the twenty-fifth (25th) day preceding any municipal election of officers, special elections, or referendum. Registration shall be permanent, and no person shall be entitled to vote in town elections unless such person is registered. It shall be the duty of the board of supervisors of elections to keep the registration list up to date by striking from the list persons known to have died or to have moved out of the town limits or have in any manner been subject to removal from the voter registration as provided in this charter or Article 33, Election Code of the Annotated Code of Maryland. The council is hereby authorized and directed, by ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration, and to provide for a re-registration when necessary. (Amended Resolution 3, effective 11/2/00.)

Section 30. Appeal from action of board of supervisors of elections.

If any person is aggrieved by the action of the board of supervisors of elections in refusing to register or in striking off the name of any person, or by any other action said person may appeal to the council. Any decision or action of the council upon such appeals may be appealed to the circuit court for the county within the time allowed for such appeals.

Section 31. Filing certificate of Nomination/Candidacy.

Persons may be nominated for elective office in the town by filing a certificate of nomination/candidacy at the office of the board of supervisors of elections or town hall or community center at least sixty (60) days preceding the municipal election of officers election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time. In addition thereto, no elected officer of the town, except elected officers running for re-election, shall be a candidate or nominee for election to any town public office unless he or she shall have first resigned from his/her then office. If he/she fails to resign upon registering for candidacy and/or upon nomination he/she shall be deemed to have forfeited his/her town public office immediately upon filing. Any such officer of the town who shall become a candidate for election by the people to a public office, other than a town public office, shall automatically forfeit such town position when and if he/she is elected for said public office. No employee or appointed officer of the Town of Hancock shall be eligible to file a certificate of nomination for elective office in the town without first terminating his/her employment. (Amended resolution 6/30/88, 11/2/00, recorded at Liber 9, folio 40.)

Section 32. Election of mayor and council members.

On the last Monday in January, 1973, and on the last Monday in January every two years thereafter an election shall be held for the purpose of electing a Mayor and Council members. At the election to be held on the last Monday in January, 1973, and every two years thereafter, the Mayor shall be elected whose term of office shall be for two years or until his successor is duly qualified. At the election to be held on the last Monday in January of 1973, there shall be elected four council members, the two council members with the highest vote shall serve for a period of four years or until their successors are duly qualified and the third and fourth council members receiving the highest number of votes shall serve for a period of two years or until their

successors are duly qualified. At the election to be held on the last Monday in January of 1975, and every two years thereafter there shall be elected two council members whose term of office shall be for four years or until their successors are duly qualified.

Section 33. Conduct of elections generally.

It is the duty of the board of supervisors of elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The board of supervisors of elections shall keep the polls open from 11:00 a.m. to 7:00 p.m. on election days or for longer hours if the council requires it.

The Board of Supervisors of Elections shall arrange for voting by absentee ballot in accordance with the provisions of the election law of the Annotated Code of Maryland as it now exists and/or may be subsequently amended and shall so notify the voters of the same.

Section 34. Special elections.

All special town elections shall be conducted by the board of supervisors of elections in the same manner and with the same personnel, as far as practicable, as regular town elections.

Section 35. Vote count.

Within forty-eight hours after the closing of the polls, the board of supervisors of elections shall determine the vote cast for each candidate or question and shall certify the results of the election to the clerk-treasurer of the town, who shall record the results in the minutes of the council.

Section 36. Preservation of votes.

All ballots used in any town election shall be preserved for at least six months from the date of the election.

Section 37. Vacancies.

In case of a vacancy on the council, except for the office of mayor, for any reason, the council shall elect some qualified person to fill such vacancy for the unexpired term of such the person vacating the office. In case of a vacancy in the office of the mayor, the most senior council person who received the highest number of votes when elected, shall immediately become mayor for the unexpired term of the mayor. Any vacancies of any other council member or members for any reason whatsoever shall be filled by the favorable votes of a majority of the remaining members of the council. The results of any such vote shall be recorded in the minutes of the council. Vacancies shall be filled in the method set forth within fifteen (15) days of said vacancy.

councilmember, and one person for Mayor. If each recognized party does not nominate more than five candidates for councilmember, or one candidate for Mayor, the primary election need not be held for those respective parties and candidates. The party candidate for Mayor, and the five party candidates for councilmember receiving the highest number of votes shall be considered nominated. Independent candidates for Mayor or councilmember may be nominated by petition as provided for in Section 5-703 of the Election Laws of Maryland, or as from time to time may be amended. (Res. R-09-26, 12-15-09.)

Section 510. Election.

A general election shall be held every four years on the General Election day in November to coincide with the Presidential Election and other Federal offices beginning in 2012. The qualified voters of the City shall elect five persons as councilmembers, and one person for Mayor, to serve for the term of four years or until their successor or successors are duly elected and qualified. (Res. R-09-26, 12-15-09.)

Section 511. Conduct of Elections Generally.

It is the duty of the Board of Supervisors of Elections for the City of Hagerstown to provide for each primary, special, and general election a suitable place or places for voting and suitable ballot boxes and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in order by office with party designations indicated where applicable. The Board of Supervisors of Elections for the City of Hagerstown shall keep the polls open from 7:00 a.m. until 8:00 p.m. on election days. (Res. R-09-09, 03-18-09.)

Section 512. Special Elections.

All special City elections shall be conducted by the Board of Supervisors of Elections for the City of Hagerstown in the same manner and with the same personnel, as far as practicable, as regular City elections. (Res. R-09-09, 03-18-09.)

Section 513. Vote Count.

Within forty-eight hours after the closing of the polls, the board shall canvass the voting machines and count the absentee ballots to determine the vote cast for each candidate or questions, and shall certify the results to the clerk of the city no later than the Tuesday following any primary or general or special election.

Section 514. Preservation of Ballots.

All ballots used in any city election shall be preserved for at least six months from the dates of the election.

ELECTION PROCEDURES

Section 509. Reserved.

(Res. No. 2009-R-10, 9-25-09.)

Section 510. Elections of the Mayor and Councilpersons.

A. On the Tuesday following the first Monday in November in each odd-numbered year, beginning November 8, 2011, the qualified voters of the town shall elect two (2) persons as Councilpersons to serve for a term of four (4) years or until their respective successors shall have been elected and shall have duly qualified, the seats currently held by Councilmen Gerald P. Garey and Michael J. Mackay to be filled at the election to be held November 8, 2011.

B. *Run-Off Elections for Councilperson.*

1. Each of the two persons receiving the two higher number of votes cast for the office of Councilperson shall so serve, so long as any such candidate shall have received at least twenty-five percent (25%) of the total of all votes cast (herein, the "minimum majority"). If a candidate who shall have received one of the two higher number of votes cast but who shall have not have [not have] gained the number of votes equal to the minimum majority, then a run-off election shall be held on the third Tuesday following the first Monday in November among the candidate whose higher number of votes was not equal to the minimum majority, and the person or persons who received the third higher number of votes case [cast].

2. If three candidates contest for the office in the run-off vote, the persons who receive the two higher number of votes cast in any run-off election shall serve, without regard to the minimum majority. If two candidates contest the run-off election, the candidates who received the higher number of votes shall so serve, without regard to the minimum majority.

C. On the Tuesday following the first Monday in November, beginning November 8, 2011, and every fourth year thereafter, the qualified voters of the town shall elect one (1) person as Mayor to service [serve] for a term of four years, or until a successor shall have been elected, and shall have qualified.

D. *Run-Off Elections for Mayor.* The candidate who shall receive the highest number of votes shall so serve, so long as such candidate shall have received at least thirty-five percent (35%) of the votes cast. If a candidate who shall have received the highest number of votes cast shall not have received thirty-five percent or more of the votes cast, then a run-off election shall be held on the third Tuesday following the first Monday in November among the candidates who received the two higher number of votes cast. (Res. No. 2009-R-14, 11-20-09.)

Section 511. Conduct of Elections.

It is the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or

address, the specific office which the candidate seeks, and a statement that the candidate meets the qualifications for the office as established by this Charter and shall pay a ten dollar (\$10.00) filing fee that will not be refundable. (Res. No. 36, 9-3-04.)

Section 608. Date of Elections.

a. On the first Tuesday in June 2006, and every four years thereafter, the qualified voters of the City shall elect a Mayor and two (2) Councilmembers who shall serve a term of four years or until their successor takes office.

b. On the first Tuesday in June 2006, the qualified voters of the City shall elect two (2) Councilmembers who shall serve a term of two years or until their successor takes office.

c. On the first Tuesday in June 2008, and every four years thereafter, the qualified voters of the City shall elect two (2) Councilmembers who shall serve a term of four years or until their successor takes office. (Res. No. 36, 9-3-04.)

Section 609. Procedure of Elections.

The Board of Supervisors of Elections shall keep the polls open from 7:00 A.M. until 7:00 P.M., or for a longer period if the Council requires it. The Council shall provide by ordinance for write-in candidates and for any other procedures necessary and useful in the conduct of elections. (Res. No. 36, 9-3-04.)

Section 610. Vote Count and Certification.

Within 48 hours after the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate or question and shall certify the results of the election to the City Administrator, who shall notify the candidates who have been elected and record the results in the minutes of the Council. (Res. No. 36, 9-3-04.)

Section 611. Tie Votes.

The Council shall provide by ordinance for the procedure to be followed in the event of a tie vote in any election. (Res. No. 36, 9-3-04.)

Section 612. Nonpartisan Elections.

All city elections shall be nonpartisan and no indication of party affiliation shall be placed beside the candidates' names on the ballot.

Section 613. Equal Privileges.

With regard to registering, voting, and holding City offices, there shall be no discrimination in regard to race, religion, color, age, national origin, sex, marital status, sexual

Section 609. Election of mayor and councilmembers.

On the first Tuesday in May, the mayor and councilmembers shall be elected as follows:

a. For the election in 2005, the voters shall elect a mayor to serve for a term of three years, and for the election in 2008 and every four years thereafter, the voters shall elect a mayor to serve for a term of four years.

b. For the election in 2005, the voters shall elect two councilmembers to serve for terms of three years, and for the election in 2008 and every four years thereafter, the voters shall elect two councilmembers to serve for terms of four years.

c. For the election in 2006, and every four years thereafter, the voters shall elect three councilmembers to serve for terms of four years. (Res. No. CA-04-04, 12-28-04.)

Section 610. Conduct of elections generally.

It is the duty of the Election Judge to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The Election Judge shall keep the polls open from noon to 7:00 PM on election days or for longer hours if the council requires it.

Section 611. Special elections.

All special town elections shall be conducted by the Election Judge of elections in the same manner as far as practicable, as regular town elections.

Section 612. Vote count.

a. Immediately after closing the polls, the Election Judge shall determine all the votes cast, including regular and absentee ballots, for each candidate or question and shall certify the results of the election to the secretary of the town who shall record the results in the minutes of the council.

b. The candidate for mayor with the highest number of votes in the general election shall be declared elected mayor. The candidates for the council with the greatest number of votes shall be declared elected as councilmembers.

c. In the event of a tie vote for any office, a special run-off election among those tied shall be held within fifteen days. The Election Judge shall give at least five days notice of the time and place of this special election.

B. A candidate for Council shall have resided in the ward where such person seeks office for at least one year prior to the date of the election.

C. No person may be a candidate for more than one office at any one election.

D. Upon receipt of the petition, the Town Clerk shall verify the information on the petition and verify that all the provisions of the Charter and this Chapter have been met. He/she shall then prepare a list of the qualified candidates for publication as required.

E. In accordance with the Ethics Ordinance, as amended, each qualified candidate will submit a financial disclosure statement with their Petition.

F. Notice of names of candidates shall be published in a newspaper or newsletter of general circulation in the Town not less than twenty (20) days nor more than forty-five (45) days prior to the election and by posting a notice in some public place or places in [the] Town. (CAR No. 86-R-06, 7-29-86; CAR No. 89-R-02, 10-10-89; Res. No. C-01-02, 7-9-02.)

Section 607. Election of the Mayor and Councilmembers.

A. On the second Tuesday of May of 1995 all Councilmembers and the Mayor shall stand for election. The Councilmember from each Ward who is elected with the highest number of votes in his/her ward in the election held on the second Tuesday of May of 1995 shall serve a four (4) year term. The Councilmember from each ward who is elected with the second highest number of votes in his/her ward in the election held on the second Tuesday of May of 1995 shall serve a two (2) year term. The seats of Councilmembers serving a two (2) year term shall be filled at an election held on the second Tuesday of May of 1997. The Mayor elected in 1995 shall serve a four (4) year term. (CAR 92-CAR-01; 03/16/92.)

B. On the second Tuesday in May of 1997 and every four (4) years thereafter, the qualified voters of each Ward shall elect one (1) Councilmember for a term of four (4) years each. (CAR 92-CAR-01; 05/05/92.)

C. On the second Tuesday in May of 1995 and every four (4) years thereafter, the qualified voters of the Town shall elect a Mayor for a term of four (4) years and the qualified voters of each Ward shall elect one (1) Councilmember for terms of four (4) years each. (CAR 92-CAR-01; 03/16/92.)

D. In the event that there is a vacancy to be filled in any ward at the time of a regularly scheduled election, that vacancy shall be filled in the regularly scheduled election in accordance with Chapter 3 Section 5. The Councilmember from each Ward who is elected with the highest number of votes in his/her ward in the election shall serve a four (4) year term. The Councilmember from each Ward who is elected with the second highest number of votes in his/her ward in the election shall fill the unexpired term of the vacancy. (CAR 92-CAR-01; 03/16/92.)

In the event that any person is registered in accordance with the provisions of Article 33 of the Annotated Code of Maryland, entitled Election Code, as it now exists, or may be subsequently amended, said person shall be considered as registered for purposes of this provision and shall be considered permanent registration.

Section 31. Appeal from action of board of supervisors of elections.

If any person is aggrieved by the action of the board of supervisors of elections in refusing to register or in striking off the name of any person, or by any other action said person may appeal to the council. Any decision or action of the council upon such appeals may be appealed to the circuit court for the county within the time allowed for such appeals.

Section 32. Filing certificate of candidacy.

Persons may be nominated for elective office in the town by filing a certificate of candidacy at the office of the board of supervisors of elections on or before the second Monday in April next preceding the town election. No person shall file for nomination to more than one elective town public office or hold more than one elective town office at any one time. An elected official holding office cannot file a certificate of candidacy for another elected position in the town. In the event an elected officer does file a certificate of candidacy for another office or similar office, then and in said event said officials [official's] existing position shall automatically be considered vacant.

Section 33. Election of mayor and council members.

On the first Monday in May, 2004, and on the first Monday in May every two years thereafter, an election shall be held for the purpose of electing officers of the municipal corporation. At the election to be held on the first Monday in May, 2004, there shall be elected a Mayor, Assistant Mayor, and one council member whose terms of office shall be for four years or until their successors are duly qualified. There shall also be elected two council members for an initial term of two years or until their successors are duly qualified. Thereafter, said two council members shall be elected at subsequent elections for a period of four years or until their successor has been duly qualified.

Section 34. Conduct of elections generally.

It is the duty of the board of supervisors of elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The board of supervisors of elections shall keep the polls open from 9:00 a.m. to 6:00 p.m. on election days or for longer hours if the council requires it.

Section C-508. Nominations.

A. Persons may be nominated for elective office in the city by filing a certificate of nomination with the Clerk. A certificate of nomination for the office of Mayor shall be signed by at least 15 registered voters of the city, and a certificate of nomination for the office of Councilperson shall be signed by at least 10 registered voters.

B. Each such certificate shall state the following:

- (1) The office for which the candidate seeks to be nominated.
- (2) The name of the candidate.
- (3) A statement that the signers of the certificate are registered voters and that they support the nomination of the named candidate.

Section C-509. Date of election.

Regular city elections shall be on the first Monday in May of every other year beginning in May 1989.

Section C-510. Election of Councilpersons.

A new Council shall be elected every two years. The terms of office for Councilpersons shall be for four years, but the election shall be staggered so that approximately half the Councilpersons are elected each time. Those Councilpersons in office at the time this provision takes effect shall continue to serve for the balance of the term for which they were elected. Beginning with the election in May 1987, and every four years thereafter, two Councilpersons shall be elected for terms of four years each. Beginning with the election in May 1989, and every four years thereafter, three Councilpersons shall be elected for terms of four years each. The terms of Councilpersons shall run four years beginning with the second Monday in May following election, except in the case of a Special Election, in which case the terms of Councilpersons shall run four years beginning with the second Monday of June following the Special Election. (Res. No. 2001, 5-1-01.)

Section C-511. Conduct of elections.

It shall be the duty of the Clerk to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Clerk shall keep the polls open from 7:00 a.m. to 7:00 p.m. on election days.

Section C-31. Election of Mayor.

On the first Tuesday of May 1993 and every four years thereafter, the registered voters of the Town shall elect one person as Mayor to serve for a term of four years. (Chtr. Amdt. Res. No. 1993-07.)

Section C-32. Election of Council members.

A. *First group.* On the first Tuesday of May 1993, and every four years thereafter, the registered voters of the Town shall elect three persons as Council members to serve for terms of four years.

B. *Second group.* On the first Tuesday of May 1995, and every four years thereafter, the registered voters of the Town shall elect three persons as Council members to serve for terms of four years. (Chtr. Amdt. Res. No. 1993-07.)

Section C-33. Conduct of elections.

A. *Nonpartisan.* All elections shall be on a nonpartisan basis.

B. *Ballots.* The ballots and/or voting machines shall show the name of each candidate nominated for elective office arranged in alphabetical order by office with no party designation of any kind. For the purposes of elections, an election to fill the remainder of an unexpired term of a Council member shall be considered as a separate office and shall be so indicated on the ballots and/or voting machines.

C. *Procedure.* It shall be the duty of the Board of Election Supervisors to provide for each special and general election, a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The Board shall keep the polls open from 8:00 a.m. to 8:00 p.m. on election days or for longer hours if the Council requires it.

D. *Voting by absentee ballot.* Any qualified voter registered to vote in the Town may vote in any Town election by absentee ballot. The Board of Election Supervisors shall provide the procedure to vote by absentee ballot, which shall include provisions for the transmittal and receipt of applications for absentee ballots, envelopes, instructions, and printed matter to enable absentee voters to vote. (Chtr. Amdt. Res. No. 1993-07.)

Section C-34. Special elections.

All special Town elections shall be conducted by the Board of Election Supervisors in the same manner, as far as practicable, as regular Town elections. (Chtr. Amdt. Res. No. 1993-07.)

Section C-35. Vote count; tie votes.

A. Promptly after the closing of the polls, the Board of Election Supervisors shall determine the vote cast for each candidate or question and shall certify the results of the election

Section 31. Election of Mayor and Council.

(a) On the first Tuesday in May in 1982, the Mayor and one (1) Councilmember shall be elected for a two (2) year term. On the first Tuesday in May every two (2) years thereafter a Mayor and one (1) Councilmember shall be elected to serve for a period of two (2) years.

(b) On the first Tuesday in May in 1981, qualified voters of the Town shall elect two (2) persons to serve as Councilmembers. All Councilmembers shall serve for a period of two (2) years. On the first Tuesday in May in 1983, and every two (2) years thereafter, two positions on the Council which shall become vacant on the second Tuesday in May shall be filled by an election of the qualified voters of the Town.

Section 32. Conduct of Elections.

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provision of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Election [Elections] shall keep the polls open from 7:00 A.M. to 7:00 P.M. on election day or for longer hours if the Council requires it. In the event that there is no contest for any of the offices for which an election shall be proper, the Board of Supervisors of Elections are authorized and directed to cancel the election with respect to said office or offices after giving public notice thereof by publication for two (2) successive weeks in a newspaper or newspapers having general circulation in the Town and to certify as elected the candidate or candidates therefor who have filed a valid certificate of nomination pursuant to Section 30 of the Charter. (Res. No. 1984-70, 2-21-84.)

Section 33. Special Elections.

All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable as regular Town elections.

Section 34. Absentee Voting.

Any qualified voter registered to vote in the Town of Snow Hill is entitled to vote in any Municipal election by absentee ballot. A qualified voter desiring to vote at any election as an absentee voter shall make application in writing to the Board of Supervisors of Elections for an absentee ballot; which application must be received not later than seven (7) days before the election.

Immediately upon receipt of such application it is the duty of the Board to forward the ballot to the voter at the address stated on the application. To be counted the absented [absentee] ballots shall be received no later than the day of election.

Section 31-30. Filing certificate of nomination. Write-in candidates permitted under certain circumstances.

a. Persons may be nominated for elective office in the town by filing a certificate of nomination at the office of the Board of Supervisors of Elections on or before the first Monday in April next preceding the town election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time.

b. Filing fees shall be as established by ordinance.

c. Write-in candidates in general elections are permitted, provided a certificate of nomination is filed at the office [of] the Town's Board of Supervisors of Elections by no later than 4:30 p.m. on the Wednesday prior to the general election. The Council shall by ordinance may (See Note (1)) otherwise regulate the administration of the election process relative to write-in candidates by ordinance. (1957 Code, sec. 611; Res. March 5, 1957, sec. 32; Res., 1-5-82; Res., 5-24-95.)

Section 31-31. Primary election; municipal meeting or convention.

(a) *Time of holding; conduct of primary election.* A primary election or municipal meeting or convention shall be held in the town on the fourth Monday in April in every even numbered year in order to select candidates for the general election on the second Tuesday in May. The primary election shall be conducted generally as specified in this subtitle for the conduct of special and general elections. Candidates' names shall appear in alphabetical order for the office sought, on the ballots or voting machine labels, with no party designation of any kind. If not more than six persons have filed as candidates for the office of Councilperson, or if not more than two persons have filed for the office of Mayor, no primary election shall be held as to that office or those offices. In such instances those nominated for Mayor or the nominees for Councilperson shall be considered as nominees and their names shall be placed on the ballots or voting machines at the general election on the second Tuesday in May. Of the candidates participating in the primary election, the two persons receiving the highest number of votes cast for the office of *Mayor* and the six candidates receiving the highest number of votes cast for the office of Councilperson shall be named and considered as nominees at the general municipal election following.

(b) *Town meeting or convention.* Candidates for the general election may be chosen at a town meeting or convention, at the time specified herein. Such meeting or convention for the selection of candidates shall be conducted generally according to accepted parliamentary procedure. In other respects, nominations at town meetings or conventions shall, wherever applicable, be conducted as specified herein for primary elections. (1957 Code, sec. 612; Res. March 1957, sec. 33; Res., 1-5-82; Res., 5-24-95.)

Section 31-32. Election of Mayor and Councilmen.

On the second Tuesday in May, 2004 and every four (4) years thereafter, the qualified voters of the Town shall elect three (3) persons as Council members to serve for terms of four (4)

years. On the second Tuesday in May, 2002, and every four (4) years thereafter, the qualified voters of the Town shall elect one (1) person as Mayor and two (2) persons as Council members to serve for terms of four (4) years. (1957 Code, sec. 613; Res. March 5, 1957, sec. 34; Res., 5-27-92.)

Section 31-32A. Recall elections.

a. The Mayor and/or Councilmember(s) may be removed by the qualified voters of the Town. The procedure to effect the recall of such persons from office shall be as set forth hereinafter.

b. A petition signed by persons qualified to vote in Town elections equal in number to at least thirty percent of the voters registered to vote in Town elections shall be presented to the Mayor and Town Council at a regular town meeting stating a desire to have a specifically named town official subjected to a recall election by a vote of the electorate.

1) The petition shall contain the name of only (1) town official to be subjected to a recall election. Separate petitions must be submitted for each town official to be subjected to a recall election, together with the necessary original signature pages for voters signatures for each such petition.

2) The first page(s) of the petition must contain the entire factual basis for the proposed recall. The petition must state specifically the justification for recall of the official, which may be only for one (1) of the following reasons:

- a. Failure to uphold the oath of office.
- b. Malfeasance in office.
- c. Misfeasance in office.
- d. Nonfeasance in office.

3) The various signature pages of the petition shall contain at the top of each page a fair summary of the reasons for recall of the named official, identifying the named official.

4) The signatures to the petition need not all be appended to one paper, but the registered Town voters signing said petition's signature pages shall sign the same as their names appear on the Town's election books. Under, beside or adjacent to each signature shall be typed or printed each petitioner's full name and address.

5) The circulator of each such signature page shall make affidavit before an officer competent to administer oaths, that the statements contained therein are true, and that each signature appended to the signature page is the genuine signature of the person whose name it purports to be.

Pleasant at least sixty (60) days (including Sundays and holidays) prior to the date of such election. Such petition shall state (1) the name and address of the candidate, (2) the fact that such person is eligible for election to the office of Councilmember or Mayor and (3) that such person wishes his name placed on the ballot as candidate. Such petition shall be sworn to by the person filing same, both as to the fact of the candidate's eligibility and as to the genuineness of the signatures of such petition. No person shall be eligible for elective City public office who has not fulfilled the requirements of this section. No candidate shall file for election for more than one City public office at any one election.

Section C-611. Election of the Mayor and Councilmembers.

Beginning on the second Monday in September, 1976, and every fourth year thereafter, the City shall elect the Mayor and all seven Councilmembers.

Section C-612. Conduct of Elections.

It is the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind.

Section C-613. Absentee Ballot.

Any qualified voter registered to vote in the City of Seat Pleasant is entitled to vote in any municipal election by absentee ballot.

Section C-614. Mailing of Absentee Ballots.

The Board of Supervisors of Elections shall mail absentee ballots to qualified voters, at the request of those voters, not less than twenty days prior to the election. All absentee ballots shall be delivered to City Hall before the day of election.

Section C-615. Special Elections.

All special City elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular City elections.

Section C-616. Vote Count.

The Board of Supervisors of Elections shall begin counting the votes immediately after the polls have closed. All votes shall be counted to include the regular ballot and absentee ballots. Once the actual vote counting begins, no persons shall enter or leave the room in which the vote count is being conducted until completion of the vote count. The Board of Supervisors of Elections shall complete the vote count within twenty-four hours after the polls have closed, shall determine the number of votes cast for each candidate and shall certify this result to the

In years in which three (3) Councilmembers are to be elected, if more than six (6) persons file certificates of nomination, a primary election shall be held. A voter may vote for no more than one (1) candidate per available position from the candidates on the primary election ballot. Of the candidates participating in such a primary election, the six (6) candidates who receive the most votes shall be named and considered as candidates for the three (3) Councilmember offices in the following general election. If not more than six (6) persons file certificates of nomination, no primary shall be held and those persons who do file certificates of nomination shall be named and considered as candidates for the three (3) Councilmember offices at the next general election.

In the years in which the Mayor and one (1) Councilmember from each District are to be elected, a primary election shall be held for any available office for which more than two (2) persons file certificates of nomination. A voter may vote for no more than one (1) candidate per available position from the candidates on the primary election ballot. Of the candidates participating in such a primary, the two (2) candidates who receive the most votes shall be named and considered as the candidates for that office in the following general election. No primary shall be held for any office for which not more than two (2) persons file certificates of nomination. In such instances, those persons who do file certificates of nomination shall be named and considered as candidates for that office in the general election. (1959 Code, sec. 323. 1951, ch. 534, sec. 42.) (Amended 9-9-63 by Res. No. 25; Res. No. 304, 11-17-87; Res. No. 484, 5-2-95; Res. No. 688, 2-29-00; Res. No. 742, 1-2-01; Res. No. 1889, 4-13-10.) (See note (6))

Section SC6-8. Filing fee.

Every candidate for the office of Mayor, at the time of filing his other certificate of nomination, as set forth above, shall pay to the City Clerk the sum of twenty-five dollars (\$25.). Every candidate for Councilmember, at the time of filing his other certificate of nomination, as set forth above, shall pay to the City Clerk the sum of fifteen dollars (\$15.). (1959 Code, sec. 326. 1951, ch. 534, sec. 45; Res. No. 484, 5-2-95; Res. No. 688, 2-29-00.)

Section SC6-9. Election of Mayor and Council.

On the first Tuesday of April 2011, the registered voters shall elect three (3) Councilmembers from District 2, whose terms shall run until the general election of November 2015. Thereafter, the registered voters shall elect their successors on the first Tuesday of November, and they shall serve four-year terms.

On the first Tuesday of April 2013, the registered voters shall elect a Mayor and (2) Councilmembers, one from District 1 and one from District 2, whose terms shall run until the first Tuesday of November 2017. Thereafter, the registered voters shall elect their successors on the first Tuesday of November, and they shall serve four-year terms. (1959 Code, sec. 327. 1951, ch. 534, sec. 46.) (Amended 9-9-63 by Res. No. 25; Res. No. 304, 11-17-87; Res. No. 688, 2-29-00; Res. No. 742, 1-2-01; Res. No. 1889, 4-13-10.) (See note (6))

the person so aggrieved to the Circuit Court for Talbot County in the same manner as provided for in the case of appeals regarding the election laws of the State of Maryland.

Section C-30. Filing certificate of candidacy.

A. Each person seeking elective office in a Town election must be a registered voter of the Town, and shall file a certificate of candidacy signed by the candidate. Such certificate shall state the following:

- (1) The office for which the candidate is seeking election;
- (2) The name of the candidate as he or she wishes it to appear on the ballot (to include at least one given name, the initial letter of all other given names, and the surname of the candidate, but without nicknames, titles, degrees and designations);
- (3) The principal residential address of the candidate;
- (4) A statement that as of the date the certificate is submitted the candidate is a registered voter of the Town and that as of the date of the election the candidate will meet all of the qualifications required by this Charter for a registered voter of the Town;
- (5) A statement that as of the date of the election the candidate will meet all of the qualifications required by this Charter for the elective office for which he or she is a candidate; and
- (6) Disclosure of any action involving a conflict of interest between the candidate and the Town.

B. A certificate of candidacy shall be received by the Town Clerk before 4:30 p.m. on the fifth Friday preceding the date of the Town election to which the certificate applies. No person shall file for candidacy to more than one elective Town public office or hold more than one elective Town public office at any one time.

Section C-31. Election of Commissioners.

All regular elections of the Town shall be held on the first Monday in May in even-numbered years. Beginning with the election to be held, in May 1996, and every four years thereafter, three Commissioners shall be elected for terms of four years each. Beginning with the election in May 1998, and every four years thereafter, two Commissioners shall be elected for terms of four years each. In the case of some vacancies, Commissioners may be elected for terms of two years as provided in § C-35 of this Charter. (Res. No. 2006-20, 10-12-06.)

Section C-32. Conduct of elections generally.

It is the duty of the Town Clerk to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The

B. *Form.* The form of the certificate of candidacy for election shall be as provided by the office of the Town Manager. The form shall include a space for the person filing as candidate to declare which election district that person votes in and whether that person is a candidate for election in that district or at-large.

Section 305. Election of Commissioners.

A. *Creation of District.* There shall be two districts created within the Town of Princess Anne each of which shall be entitled to elect two commissioners to the Town Commission.

B. *At-Large Candidate.* In addition to the four commissioners elected from the two districts, a fifth commissioner shall be elected at large.

C. *Date and Term.* On the first Tuesday in June in every even-numbered year the Board of Supervisors of Elections for the Town shall conduct an election to elect Town Commissioners. Beginning June 1992, and every four years thereafter, an election shall be held to elect one (1) commissioner from each Town election district. The two commissioner vacancies up for election in 1992 shall be the two commission seats that were elected to two (2) year terms in 1990. Also, in June 1994 and every four years thereafter, an election shall be held to elect one (1) commissioner from each Town election district, and also to elect one (1) commissioner at large. Thus, the Town's governing body shall consist of five (5) commissioners elected to four (4) year staggered terms in elections held every two (2) years. Each of the elected officials that constitutes the Town's governing body shall have a vote regarding all Town business. (Res. No. R2004-10, 11-02-04.)

Section 306. Conduct of Elections.

A. It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each certified candidate who has filed for elective office in accordance with the provisions of the Town Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from 7:00 a.m. to 7:00 p.m. on election days. All persons who are standing in line to vote at 7:00 p.m. shall be allowed to vote.

B. It shall be the duty of the Board of Election Supervisors to report to the Town Commissioners at the close of the time when persons may file a certificate of candidacy for election if there are not a sufficient number of candidates to create a contested election, in either district or for commissioner at-large. In this situation, the commissioners shall then by resolution cancel any such election.

Section 307. Special Elections.

All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections.

in Liber N.D.S. No. 500, folio 384; thence running by and with the said land of Delmar C. Whitaker, et al., the following nine (9) courses and distances: (1) North 40 degrees 38 minutes 17 seconds East 759.00 feet to a point; (2) South 49 degrees 21 minutes 43 seconds East 181.50 feet to a point; (3) North 41 degrees 23 minutes 26 seconds East 397.58 feet to a point; (4) North 32 degrees 58 minutes 03 seconds West 508.24 feet to a point; (5) South 63 degrees 17 minutes 17 seconds West 101.94 feet to a point; (6) South 48 degrees 56 minutes 48 seconds West 5.11 feet to a point; (7) North 79 degrees 27 minutes 33 seconds West 310.70 feet to a point; (8) South 35 degrees 29 minutes 06 seconds West 1055.22 feet to a point; (9) South 49 degrees 15 minutes 53 seconds East 187.20 feet to a corner of the aforementioned land of Mount Ararat Farm; thence running by and with the said land of Mount Ararat Farm the following six (6) courses and distances: (1) South 73 degrees 29 minutes 06 seconds West 230.95 feet to a point; (2) South 23 degrees 07 minutes 00 seconds West 613.97 feet to a point; (3) South 62 degrees 06 minutes 42 seconds West 481.87 feet to a point; (4) South 50 degrees 36 minutes 42 seconds West 315.91 feet to a point; (5) South 57 degrees 14 minutes 42 seconds West to a point; (6) South 17 degrees 53 minutes 06 seconds West 1327.52 feet to a point on the Northerly right-of-way line of Maryland Route No. 222 (Bainbridge Road) a public road running from the Town of Port Deposit to the Town of Perryville; thence running by and with the said Northerly right-of-way of Maryland Route No. 222 the following twelve (12) courses and distances: (1) North 47 degrees 47 minutes 55 seconds West 159.12 feet to a point; (2) North 49 degrees 21 minutes 54 seconds West 92.90 feet to a point; (3) North 52 degrees 10 minutes 13 seconds West 120.45 feet to a point; (4) North 54 degrees 40 minutes 40 seconds West 163.54 feet to a point; (5) North 27 degrees 31 minutes 20 seconds West 27.49 feet to a point; (6) North 53 degrees 53 minutes 51 seconds West 178.77 feet to a point; (7) North 59 degrees 07 minutes 37 seconds West 152.55 feet to a point; (8) North 67 degrees 45 minutes 33 seconds West 152.67 feet to a point; (9) North 66 degrees 57 minutes 58 seconds West 151.57 feet to a point; (10) North 89 degrees 50 minutes 24 seconds West 53.85 feet to a point; (11) North 68 degrees 34 minutes 29 seconds West 253.91 feet to a point; (12) North 68 degrees 22 minutes 22 seconds West 9.15 feet to a point on the present existing Town of Port Deposit Corporate Limits boundary line (South 32 degrees 29 minutes 31 seconds East 921.30 feet) thence running by and with the said Corporate Limits of the Town of Port Deposit which is recorded in the Land Record Books of Cecil County in Liber N.D.S. No 427, folio 19, and running through lands of the aforementioned United States Bainbridge Naval Training Center the following two (2) courses and distances: (1) North 0 degrees 42 minutes 09 seconds East 900.60 feet to a point; (2) North 71 degrees 31 minutes 53 seconds West 4004.39 feet to the point of beginning. Containing in all 970.6649 Acres of land more or less.

ARTICLE III

The Council

Section 301. Number, Selection, Term.

All legislative powers of the Town shall be vested in a body designated as "The Council of Port Deposit," consisting of a Mayor and six (6) Councilmembers. The qualified voters of the Town shall hold an election for six (6) Councilmembers on the second Tuesday of May, 1979 and for three (3) Councilmembers, as hereinafter provided, every two (2) years thereafter. In the

case of the election held the second Tuesday of May, 1979, those three (3) Councilmembers who receive respectively the first, second, and third highest number of eligible votes cast shall hold office for four (4) year terms beginning June 1, 1979, and ending May 31, 1983, or until their successors are elected and qualified; those three (3) Councilmembers who receive respectively the fourth, fifth, and sixth highest number of eligible votes cast shall serve for two (2) year terms beginning June 1, 1979, and ending May 31, 1981, or until their successors are elected and qualified. Three (3) Councilmembers shall be elected at the elections held on the second Tuesday in May, 1981 and each four (4) years thereafter; three (3) Councilmembers shall be elected at the elections held on the second Tuesday in May, 1983, and each four (4) years thereafter. Beginning June 1, 1981, the terms of office of all Councilmembers shall be for four (4) years and shall begin on the first day of the month (June) immediately following their election, (May), and shall end on the fourth next succeeding 31st day of May or until their successors are elected and qualified. No person shall be eligible for election as a Councilmember of Port Deposit unless he shall be a qualified voter of the Town. In the case of any precise tie between two Councilmembers, which would prevent one of them from holding office, a run-off election shall be held within the next 60 days.

Section 302. Qualifications of Councilmembers.

Councilmembers shall have resided in the Town for at least one year preceding their election, be at least twenty-one (21) years of age, and shall be qualified voters of the Town. Additionally, no person shall be nominated, run for, be appointed to, or hold office of Councilmember while being an employee of the Town. (Res. No. 90-1, 8-22-90.)

Section 303. Salary of Councilmembers.

Each Councilmember may receive an annual salary which shall be as specified from time to time by an ordinance passed by the Councilmembers in the regular course of their business; provided, however, that the salary specified at the time the Councilmembers take office shall not be changed during the period for which the Councilmembers were elected. The ordinance making any change in the salary paid to the seven Councilmembers, either by way of increase or decrease, shall be finally ordained prior to the municipal election for the members of the next succeeding Council and shall take effect only as to the members of the next succeeding Council.

Section 304. Meeting of the Council.

The newly elected Council shall meet at 7:30 p.m. on the first Tuesday following its election for the purpose of organization, after which the Council shall meet regularly at such times as may be prescribed by its rules but not less than once each month. Special meetings shall be called by the Town Clerk upon the request of the Mayor or a majority of the members of the Council. All meetings of the Council shall be open to the public, except and notwithstanding anything in this charter to the contrary the Council may meet in closed sessions or adjourn an open session in those instances and in the manner provided by State law. The rules of the Council shall provide that residents of the Town shall have a reasonable opportunity to be heard at any open meeting in regard to any municipal questions. (Res. No. 95-6, 11-22-95.)

Section 608. Nominations.

Persons shall be nominated for elective office in the Town by filing a petition signed by twenty-five (25) qualified voters of the Town with the Board of Supervisors of Elections on or before the second Monday in March preceding the Town election. Such petition shall identify the offices being sought and contain the name and signature of the candidate and such other information necessary to determine his or her proper qualification for that office. No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at one time. (Res. No. 85-1, 11-20-85; Res. No. 2007-02, 3-28-07.)

Section 609. Election of the Mayor and Councilmembers.

On the second Tuesday of May, 1979, the qualified voters of this Town shall hold an election for six (6) Councilmembers. Every odd numbered year thereafter, as provided in Article III, Section 301 of this Charter, three (3) Councilmembers shall be elected for four year terms by the qualified voters of the Town. On the second Tuesday of May, 1979, and every second odd numbered year thereafter, a Mayor shall be elected for a four year term by the qualified voters of the Town.

Section 610. Conduct of Elections.

a. Elections shall be on a non-partisan basis. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind.

b. It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and/or voting machines.

c. The Board of Supervisors of Elections shall keep the polls open from 12:00 noon to 8:00 p.m. on election days or for longer hours if the Council requires it.

Section 611. Absentee Ballots.

a. Any qualified voter registered to vote in the Town of Port Deposit is entitled to vote in any municipal election by absentee ballot.

b. All requests to vote by absentee ballot must be made in writing and signed by the voter. (Res. No. 95-1, 2-22-95.)

Section 612. Special Elections.

All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections.

PERRYVILLE

ARTICLE I General Corporate Powers

Section C1-1. Incorporation and general powers. (See note (1))

The inhabitants of Cecil County within the corporate limits legally established from time to time are hereby constituted and continued a body corporate by the name of "Town of Perryville" with all the privileges of a body corporate and with the power to have and use a common Seal and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated.

ARTICLE II Corporate Limits

Section C2-1. Filing of corporate limit descriptions.

The courses and distances showing the exact corporate limits of the town shall be filed at all times with the Town Hall of Perryville and with those county and/or state agencies as required by Maryland law. (See note (2)) Any changes to the corporate limits shall also be filed in the same manner. (Res. No. 90-2, 3-28-90.)

ARTICLE III Town Commissioners

Section C3-1. Composition; terms; elections. (See note (1))

A. All legislative powers of the town shall be vested in the Mayor and Commissioners of the Town of Perryville, consisting of a Mayor and four Commissioners who shall be elected as hereinafter provided and who shall hold office for a term of two (2) years or until their successors are elected and qualified. Newly elected Commissioners (including the Mayor), having taken their oath of office as prescribed herein, shall take office on or before the second Monday following their election. Commissioners holding office at the time this Charter becomes effective shall continue to hold office for the term for which they were elected and until the succeeding Commissioners take office under the provisions of this Charter. Effective with the election to be held in May of 1990, a Mayor and two Commissioners shall be elected, so that the Board shall then consist of a Mayor and five Commissioners. The following year, in May 1991, two additional Commissioners shall be elected so that the Board shall then consist of a Mayor and four Commissioners for the purposes of the charter and the code of Perryville, the terms "Mayor and Council", "Mayor and Commissioners", "Commissioners" and "Board of Commissioners" shall all be interchangeable and shall all be defined as the Mayor and Commissioners of the town of Perryville as provided for in this Article III.

instances those nominated for mayor or the nominees for councilmen shall be considered as nominees and their names shall be placed on the ballots or voting machines at the general election on the second Tuesday in May. Of the candidates participating in the primary election, the two persons receiving the highest number of votes cast for the office of Mayor and the ten candidates receiving the highest number of votes cast for the office of councilman shall be named and considered as nominees at the general municipal election following.

(b) *Candidates; procedure.* Candidates for the general election may be chosen at a town meeting or convention, at the time specified herein. Such meeting or convention for the selection of candidates shall be conducted generally according to accepted parliamentary procedure. In other respects, nominations at town meetings or conventions shall, wherever applicable, be conducted as specified herein for primary elections. (1965 Code, sec. 343; Res. 1, Dec. 13, 1960, sec. 33; Char. Res. 1977-1, 3-23-77.)

Section 11-32. Election of Mayor and Council.

(a) *Date:* On the second Tuesday in May in every odd-numbered year, the qualified voters of the Town shall elect Town officials as herein provided.

(b) *Transition Election:* In the 1977 election, a Mayor shall be elected to serve for a term of four years and five Councilmen shall be elected. The two members of the Council receiving the highest number of votes shall hold office for a period of four years and the remaining three members of the Council for a period of two years.

(c) *1979 Election:* Beginning with the election of 1979 and every four years hence, three Councilmen shall be elected to serve for terms of four years.

(d) *1981 Election:* Beginning with the election of 1981 and every four years hence, the Mayor and two Councilmen shall be elected to serve for terms of four years. (1965 Code, sec. 344; Res. 1, Dec. 13, 1960, sec. 34; Char. Res. 1977-1, 3-23-77.)

Section 11-33. Conduct of elections.

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from 9:00 a.m. to 6:00 p.m. on election days or for longer hours if the council requires it. (1965 Code, sec. 345; Res. 1, Dec. 13, 1960, sec. 35.)

adjust the boundaries if it is deemed necessary by the Mayor and Council. (Res. No. 2-2008, 11-19-08.)

Section 507. Conduct of Elections Generally.

The City Board of Elections shall provide suitable sites and ballots for all City elections. City elections shall be conducted on a nonpartisan basis. The name of each candidate nominated for elective office shall be arranged on the ballot by office with no party designation of any kind. The order of candidates' names on the ballot shall be random, determined in a manner prescribed by ordinance or substantive resolution of the Mayor and Council. The City Board of Elections shall keep the polls open from 7:00 a.m. to 8:00 p.m. on election day.

Section 508. Election of Mayor.

A. On the first Monday in May in every fourth year beginning with 1997, at such places in the City that the City Board of Elections shall designate, the registered voters of the City shall vote for one person to serve as Mayor of the City.

B. The candidate receiving the highest number of votes shall be elected Mayor. In the event of a tie preventing any candidate from taking office a Special Election shall be held between the candidates with the highest number of votes as provided in Section 514 of this Article.

Section 509. Election of Councilmembers.

A. On the first Monday in May in odd numbered years, at such places in the City that the City Board of Elections shall designate, registered voters residing in each City ward shall vote for candidates to serve as Councilmembers for that ward.

B. Each registered voter shall receive a ballot permitting the voter to cast one vote for a candidate to serve as Councilmember from that voter's ward for a four-year term of office. At the close of balloting, a count of all votes shall be made, and the candidate in each ward receiving the highest number of votes shall be elected from that ward.

C. In the event of a tie preventing any candidate from taking office, a Special Election shall be held between the tied candidates as provided in Section 514.

D. If a Councilmember vacancy has been filled by appointment, as provided in Section 513, and the term of office of the other Councilmember for that ward expires at the same biennial election as a Special Election for the appointed Council seat, then each registered voter from that ward shall receive a ballot permitting the voter to cast one vote for a candidate who has been nominated for a two year term and one vote for a candidate who has been nominated for a four year term. (Res. No. 2-2008, 11-19-08; Res. No. 1-2010, 03-23-2011.)

two weeks notice by advertisement in at least one newspaper of general circulation in the Town of Mount Airy or by posting a notice thereof in at least five public places in the Town of Mount Airy. Provided, however, that no one may register within one week of a scheduled election. Registration shall be permanent and no person shall be entitled to vote in town elections unless he is registered. It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up-to-date by striking from the lists persons known to have died or to have moved out of the town. The council is hereby authorized, by ordinance, to adopt and enforce all rules and regulations necessary to establish and maintain a system of permanent registration.

Section 506. Appeals.

If anyone shall feel aggrieved by the action of refusing to register or in striking off the name of any person, or by any other action, such person may appeal to the council. Any decision or action of the council upon such appeals may be appealed to the Circuit Court for Carroll County.

Section 507. Nominations.

Nominations for elective town office shall be made at a citizens' meeting to be held on the second Monday in March in each regular town election year. The chairman of the Board of Supervisors of Elections shall be chairman of the citizens' meeting. The names of all persons nominated at such a citizens' meeting, with the written consent of the nominee, shall be placed on the ballot.

Section 508. Election of Mayor and Council.

On the first Monday in May, 1952, and on the same day every two years thereafter, the qualified voters of the town shall elect a mayor to serve for a term of two years or until his successor is elected and qualified. Also on the first Monday in May, 1952, the qualified voters of the town shall elect five councilmen. The two councilmen elected by the highest number of votes shall serve for a term of four years, and the three remaining councilmen shall serve for a term of two years. On the first Monday in May, 1954, the qualified voters of the town shall elect three councilmen. The two councilmen elected by the highest number of votes at this election shall serve for a term of four years, and the remaining councilmen shall serve for a term of two years. Thereafter, on the first Monday in May, 1956, and on the same day every two years thereafter, the qualified voters of the town shall elect the requisite number of councilmen to serve for a term of four years.

Section 509. Conduct of Elections.

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place for voting and suitable ballot boxes and ballots. Space shall be provided on the ballot for voters to vote for candidates not listed thereon. The Board of Supervisors of Elections shall keep the polls open at least from 2:00 p.m. to 7:00 p.m. on election days or for longer hours if the council requires it.

MIDDLETOWN

ARTICLE I General Corporate Powers

Section 101. Incorporation.

The inhabitants of Middletown, Frederick, County, Maryland, are hereby constituted a body corporate under the name and title of the "Burgess and Commissioners of Middletown" and by than [that] name, shall have perpetual succession, sue and be sued, have and use a common seal which may be altered at pleasure, and shall have all of the powers incident to or may attach to a municipal corporation, and shall have and possess all the rights, powers, property and duties vested in and devolving upon the Burgess and Commissioners of Middletown except as the same may be changed by this Charter. The said Burgess and Commissioners of Middletown shall have the right to acquire property by gift, purchase, condemnation, or otherwise, and to dispose of the same by ordinance and legal conveyance. (Res. No. 99-06, 8-03-99.)

ARTICLE II Corporate Units

Section 201. Boundaries.

The taxable limits of the Town [of] Middletown shall be as they existed immediately prior to the date of this Charter, subject to all rights, reservations, limitations, and conditions as may be set forth in all prior resolutions of annexation and in the Charter of the town in effect immediately prior to this Charter, and as may be hereafter amended as provided by law. The courses and distances showing the corporate limits of the town shall be filed [filed] at all times with the Clerk of the Circuit Court for Frederick County and the Director of the Department of Legislative Services of the Maryland General Assembly. In addition, a copy of the courses and distances describing the corporate boundaries shall be on file in the town offices and available for public inspection during normal business hours. (Res. No. 99-06, 8-03-99.)

ARTICLE III Burgess and Commissioners

Section 301. Numbers, Term, Selection.

All legislative powers of the town are vested in the burgess and five commissioners, the legislative body. The term in office of the burgess and commissioners shall be four years. The terms shall be staggered. Elections shall be held every even-numbered year. The next election for the burgess and two commissioners shall be in 2000 and for the three remaining commissioners in 2002. (Res. No. 99-07, 8-03-99.)

procedures as authorized by ACM Article 33, Section 3-2(d). A public notice to this effect will be posted at the Middletown Municipal Center at least 60 days prior to an election. In order to vote in an election, a voter must be registered at least 15 days prior to the election, including weekends and holidays. (Res. No. 99-09, 8-03-99.)

Section 503. Nominations.

The burgess of Middletown shall, at least forty days before the time of election in each election year, issue a call for a nominating convention, to be composed of the residents of the town who may attend the same, and who shall be entitled to vote in the coming election. The nominating convention shall be held at some public place in the town, to be designated by the burgess, notice of which shall be published in newspaper of general circulation in the town at least four days prior to the time of the holding of such convention, giving the time and place thereof, which convention shall be held not later than thirty days prior to the date of election.

The convention shall nominate not less than one nor more than two candidates for burgess and not less than one nor more than two candidates for each commissioner's position to be voted upon at the forthcoming election.

Each aspirant for the office of burgess or commissioner in the town who shall not have been nominated by the nominating convention may file with the town administrator, not later than twenty days before the election, excluding Sunday, nominating papers for the office for which they may be aspiring, in writing, signed by at least forty of the qualified voters of the town. No signature shall be counted if it shall appear upon the nomination papers of more than one candidate for the office of burgess or more than the exact number of candidates for commissioner to be voted on at that election.

Only those persons nominated by the convention or by the petition shall be considered valid candidates for municipal office. Only the votes for candidates so nominated shall be counted. (Res. No. 99-09, 8-03-99.)

Section 504. Election of Burgess and Commissioners.

Elections for the burgess and commissioners of Middletown shall be held biennially on the first Monday of April, between the hours of 7:00 a.m. and 8:00 p.m. every even-numbered year. (4-3-84.)

On the first Monday in April, 2002, and on the same day every four years thereafter, the qualified voters of the town shall elect three commissioners. Said three commissioners shall serve for a term of four years.

On the first Monday in April, 2000, and on the same day every four years thereafter, the qualified voters of the town shall elect a burgess and two commissioners to serve for a term of four years.