

## CHAPTER 3

## ELECTIONS

**Article 1. Voter Registration**Section 3-101. Registration Validity

All persons residing within the corporate limits of the Town of North East who are presently registered voters of the Town shall remain registered as long as they shall meet the qualifications for voters prescribed in Section 601 of the Town Charter, unless such registration shall be withdrawn as hereinafter provided.

Section 3-102. Registration Procedure

Every citizen (a) who is at least seventeen (17) years of age and will be eighteen (18) years of age on or before the next Town election and (b) has resided within the corporate limits of the Town for thirty (30) days, is eligible to register to vote in Town elections.

Qualified citizens may register to vote in person at the Town Hall during business hours throughout the year. Registration for any election will be closed for the thirty (30) days next preceding such election.

Qualified citizens may also register to vote in Town elections by filing their registration application with the Cecil County Board of Supervisors of Election, provided that application for such registration is received by a Maryland election officer no later than 9:00 p.m. on the fifth Monday prior to any Town election.

Citizens though qualified to vote who are not registered or recorded on the voter registration rolls of the Town as provided herein at the time of the election will be considered, by the "Board of Supervisors of Elections", - ineligible to vote.

Those qualified citizens who cannot appear in person for reasons such as a handicap, vacation, illness, or persons who work and cannot register at Town Hall during the regular business hours, shall be entitled to notify the Town Clerk in writing and be granted absentee registration.

Effective 12/20/93 by Emergency Ordinance 93-12-2.

Section 3-103. Withdrawal or Expiration of Registration

The Board of Supervisors of Elections shall withdraw the registration of any person whom they determine has failed to vote in any one of the most recent five (5) regular town elections, or is otherwise legally disqualified.

Section 3-104. Qualified Voter Status Required

Even though a person may be on the registration rolls of the Town, such person may not vote unless he or she is a qualified voter. The Board of Supervisors of Elections may require any person who comes to the polls to vote at any election to furnish proof that such person is a resident of the Town, and at least 18 years old, and that he or she is in fact properly registered under the provisions hereof.

**Article 2. Election of Town Officers**Section 3-201. Nomination of Mayor and Commissioners

Qualified voters may be nominated or seek election or reelection of the office of Mayor or Commissioner of the Town of North East by filing a certificate of nomination at the office of the Board of Supervisors of Elections, on or before the second Monday in January next preceeding 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.

Effective 12/20/93 by Emergency Ordinance 93-12-2.

### **Article 3. Absentee Voting**

#### Section 3-301. Records Concerning Absentee Voting

The Clerk-Treasurer shall keep a record of applications for absentee ballots as they are received, showing the date received, the names and residences of the applicants, and places where such ballots were mailed and, if any such applications were rejected, the reasons for such rejections. Such applications and record shall be made available for public examination for a period of six months after the election. The individual record of each voter to whom an absentee ballot was mailed shall be marked to indicate the fact that an absentee ballot has been mailed to him and the date of such mailing. Only those voters to whom absentee ballots have been mailed in accordance with Charter Article VI, Section 611, shall be permitted to use such ballots. No voter to whom an absentee ballot has been delivered shall be allowed to vote in person at the polls at the election, except as provided in Section 3-304(3).

Effective 12/20/93 by Emergency Ordinance 93-12-2.

#### Section 3-302. One Ballot per Applicant

No more than one absentee ballot shall be delivered to any one applicant.

#### Section 3-303. Form of Absentee Ballots and Envelopes

The form of ballots and envelopes for absentee voters shall be as follows:

1. The ballots shall contain the words "absentee ballot" in large letters in a clear space at the top of each ballot and the signature of the Chairman of the Board of Supervisors of Elections.
2. The following shall be delivered to the absentee voter:
  - a. An envelope marked "Ballot Envelope" of sufficient size to contain the absentee ballot (hereinafter referred to as the "Ballot Envelope").
  - b. Another envelope (hereinafter referred to as the "Outer Envelope") of sufficient size to contain the Ballot Envelope; and
  - c. Oath of Absentee Resident:

"I, \_\_\_\_\_, do hereby swear (or affirm) under penalty of perjury that I am legally qualified to vote in the Town of North East's election to be held on \_\_\_\_\_; (that I will be unable to vote in person on that day of election because \_\_\_\_\_ as stated in application for the enclosed ballot) that the enclosed ballot was by me marked secretly, folded and enclosed and sealed in the enclosed envelope and in this envelope; and that I am now disqualified from voting in person in the Town election."

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(Signature of absentee voter)

Section 3-304. Procedure of Absentee Voting

The procedure for absentee voting is as follows:

1. The absentee voter shall mark the absentee ballot, insert it in the Ballot Envelope and then seal this envelope. He shall then insert this envelope in the Outer Envelope, seal this envelope and complete and sign the oath. He shall then deliver the foregoing to the Clerk-Treasurer or Board of Supervisors of Elections on or before the close of polls on election day. No absentee ballots actually received by the Clerk-Treasurer or the Board of Supervisors of Elections after the close of the polls shall be valid.
2. There shall be mailed with each ballot and envelopes instructions clearly explaining the manner in which the recipient may vote as an absentee voter under the provisions hereof.
3. Any person to whom an absentee ballot has been mailed who has not returned said ballot as provided in Section 3-304(1) and who finds that he is able to vote in person at the polls on election day may vote in such election if he delivers his unmarked absentee ballot, together with both the Ballot Envelope and the Outer Envelope to the Board of Supervisors of Elections prior to the close of polls. The Board of Supervisors of Elections shall clearly mark each of such materials "void" and shall enter in the appropriate register the fact that such materials have been returned but not used.

Section 3-305. Procedure for Canvassing Absentee Ballots

The procedure for the canvassing of ballots shall be as follows:

1. The Clerk-Treasurer shall deliver all sealed Outer Envelopes received by him to the Board of Supervisors of Elections. No sealed Outer Envelopes shall be opened at any time prior to the canvassing of the absentee ballots.
2. The Board of Supervisors of Elections shall conclusively determine whether or not each person who has submitted an absentee ballot is a qualified, registered voter in the Town, to whom an absentee ballot was mailed under Charter Article VI, Section 611 and has not voted in person at the election. They shall then open the Outer Envelopes found to be valid and thereafter shall separately open the

Ballot Envelopes in such a manner that they are unable to match the names of the absentee voters with the particular absentee ballots they have submitted. When any Outer Envelope is opened, the Board of Supervisors of Elections shall then proceed to count and certify the absentee ballots.

3. The Outer Envelope found to be invalid by the Board of Supervisors of Elections shall not be opened. The Board of Supervisors of Elections shall keep a record of all absentee ballots which have been rejected and the reason for each such rejection. Such record and the items specified in Section 3-303(2) shall be available for public inspection at the Town Office for a period of six months after the election.

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Section 3-306. Election Procedures

With respect to all procedural matters not specifically covered in this Code of Ordinances or in the Town Charter, the Town and the Board of Election Supervisors shall administer all elections in accordance with Article 33 of the Maryland Annotated Code as amended or any subsequent adoption of the Maryland State Election Code. It is also recognized that certain sections of Article 33 have pre-empted local election laws (e.g., Universal Registration), and rendered contrary provisions of the Town's Code and Charter ineffective. To that extent, said sections are hereby adopted in this Code of Ordinances.

Effective Date: 01/26/92 Ordinance 91-12-3