

## CHARTER AMENDMENT RESOLUTION NO. 492

### A RESOLUTION TO AMEND THE CHARTER OF POCOMOKE CITY, MARYLAND BY ADDING AND DELETING LANGUAGE TO SECTION C-36 CONCERNING THE CONDUCT OF ELECTIONS

WHEREAS, the Municipal Corporation Charter of Pocomoke City, Maryland, § C-36 sets the rules and procedure the conduct of elections; and

WHEREAS, the current Charter provisions do not provide for write-in ballots; and

WHEREAS, the Mayor and Council of Pocomoke City have concluded that it is appropriate for them to amend § 36 of the Charter to allow for write-in ballots in all municipal elections and to delete, in furtherance thereof, language in § 36 of the Charter that provides for cancellation of an election for an office where only one candidate has filed for that particular office; and

WHEREAS, the Mayor and Council have determined that these proposed changes are for the peace, order, and benefit of Pocomoke City and its citizens;

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of Pocomoke City, by virtue of the authority granted in Article XI-E of the Constitution of Maryland, that Section C-36 of the Municipal Charter of Pocomoke City, be amended to read as follows:\*

#### **C-36. 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 7:00 a.m. to 7:00 p.m. on election days 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, *after all filing and notice deadlines have expired*, 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 successive weeks]]* in a newspaper or newspapers having general circulation in the City, and to certify as elected the candidate or candidates therefor who have filed a valid certificate of nomination *or notice of write-in candidacy, as the case may be*, pursuant to Section C-34 *or this Section C-36* of the Charter. *The Board of Supervisors of Elections, in providing for suitable ballot boxes and ballots and/or voting machines, shall provide for write-in balloting and shall ensure that ballots and/or voting machines shall allow for write-in ballots while protecting the confidentiality of voters. For any write-in ballot to be valid, official, and counted, the candidate named on the write-in ballot must have otherwise complied with the requirements of § C-34 hereof not later than 14 days prior to the date of the election in which the subject ballot is cast. In any event, names of write-in candidates shall not be printed or reflected on any ballot or voting machine.*

\* *Italicized print indicates material added to existing law. Deleted material from the*

existing Charter is indicated by bold double bracketed [[ ]] language.

**2. AND BE IT FURTHER RESOLVED THAT**

In accordance with § 4-304 of the Local Government Article of the Annotated Code of Maryland, the City Manager shall:

a. Post a complete and exact copy of this Charter Amendment at the City Hall Office, for at least forty (40) days after the passage of this Resolution; and

b. Publishing a fair summary of this Resolution once per week for four (4) weeks in a newspaper of general circulation beginning immediately after the passage of this resolution.

**3. AND BE IT FURTHER RESOLVED THAT**

This Resolution shall become effective fifty (50) days after passage, in accordance with § 4-304 of the Local Government Article of the Annotated Code of Maryland.

This Resolution was introduced and read at a meeting of the Mayor and Council of Pocomoke City held on the 25th day of January, 2016, and passed for Second Reading.

The Resolution was finally passed and signed and approved by the Mayor and Council of Pocomoke City on the 1<sup>st</sup> day of February, 2016.

Attest:

THE MAYOR AND COUNCIL OF  
POCOMOKE CITY, MARYLAND

\_\_\_\_\_  
Carol L. Sullivan, City Clerk

\_\_\_\_\_  
Bruce Morrison, Mayor

\_\_\_\_\_  
George Tasker, First Vice-President

Publish: \_\_\_\_\_  
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