

MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE

CHARTER AMENDMENT RESOLUTION NO. 2019-01

A RESOLUTION OF THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE, MARYLAND, TO AMEND THE CHARTER OF THE TOWN OF PERRYVILLE TO PROHIBIT WRITE-IN VOTING OR THE CASTING OF VOTES FOR INDIVIDUALS WHOSE NAMES DO NOT APPEAR ON THE BALLOT OR VOTING MACHINE IN TOWN ELECTIONS; TO PROHIBIT THE COUNTING AND CERTIFYING OF ANY VOTES CAST FOR ANY INDIVIDUAL WHOSE NAME DOES NOT APPEAR ON THE BALLOT OR VOTING MACHINE; AND GENERALLY RELATING TO CHANGES IN REQUIREMENTS AND PROCEDURES FOR TOWN ELECTIONS.

BY repealing and reenacting, with amendments
Charter of the Town of Perryville
(as published in the Perryville Town Code)
Article V, Registration, Nominations and Elections
Sections C5-9 and C5-12

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

*** indicates matter not affected by this Ordinance and omitted

SECTION 1. BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections C5-9 and C5-12 of Article V, Registration, Nominations and Elections, of the Charter of the Town of Perryville (as published in the Perryville Town Code), are repealed and reenacted, with amendments, to read as follows:

ARTICLE V

Registration, Nominations and Elections

§ C5-9. Conduct of elections.

A. Elections shall be on a nonpartisan basis. 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.

* * *

F. It shall be the duty of the Board of Supervisors of Elections to provide for the absentee ballots ((and write-in ballots)) at all municipal elections of the Town of Perryville.

G. A PERSON MAY NOT WRITE IN OR OTHERWISE CAST A VOTE AT A TOWN ELECTION FOR ANY INDIVIDUAL WHOSE NAME DOES NOT APPEAR ON THE BALLOT OR VOTING MACHINE.

§ C5-12. Vote count.

Immediately 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 Town Clerk who shall record the result in the minutes of the Town Commissioners. NOTWITHSTANDING THE FOREGOING SENTENCE, THE BOARD OF SUPERVISORS OF ELECTIONS SHALL NOT COUNT AND CERTIFY ANY VOTES CAST FOR ANY INDIVIDUAL WHOSE NAME DOES NOT APPEAR ON THE BALLOT OR VOTING MACHINE.

SECTION 2: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE, that if any provision of this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution are hereby declared to be severable.

SECTION 3: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that the date of adoption of this Resolution is December 3, 2019, and the amendment to the Charter of the Town of Perryville, hereby enacted shall become effective on January 22, 2020, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the Town Hall until January 12, 2020, and provided further that a copy of the title of this Resolution shall be published in a newspaper of general circulation in the Town of Perryville, or in any other newspaper of such general circulation, once in each of the weeks beginning December 13, 2019, December 20, 2019, December 27, 2019, and January 3, 2020.

SECTION 4: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE, that the Town Administrator is hereby specifically commanded to carry out the provisions of Section 3 of this Resolution, and, as evidence of such compliance, the Town Administrator shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, the Mayor shall declare the Charter Amendment hereby enacted to be effective on the date provided by law.

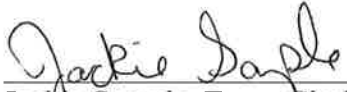
SECTION 5: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Town Administrator shall send to the Department of Legislative Services of Maryland a copy of this Resolution showing the number of members of the Council voting for and against it and a report on the votes cast for or against the Charter Amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Amendment to the Charter of the Town of Perryville was enacted by the foregoing Resolution which was passed at a Town Meeting of the Mayor and Commissioners of the Town of Perryville on December 3, 2019, 3 members voting in the affirmative, 2 members voting in the negative, 0 members abstaining and 0 members absent and the Resolution becomes effective in accordance with law on the 22nd day of January, 2020, if a petition for referendum has not been filed in the time prescribed by law.

READ AND PASSED THIS 3rd day of December, 2019.

ATTEST:

MAYOR
TOWN OF PERRYVILLE:



Jackie Sample, Town Clerk



Robert R. Ashby Jr., Mayor