

## Recommended Charter Provisions

### Section 602. Elections.

The election of Council members, which shall be by secret ballot, shall take place between June 1 and June 15 each year, taking into account the need for elections to take place prior to the end of the school year. Except for the transition election provided for in Section 409, Council members shall be elected to terms of two years. All elections shall be managed by an Election Committee. The Committee shall consist of a minimum of three people appointed by the Council from qualified voter volunteers openly and fairly solicited. The Council shall appoint the Committee upon taking office. The Committee shall serve through the succeeding election of Council members. The Committee shall operate according to rules and procedures adopted by the Council and set out in the Village by-laws. Exceptions to these provisions may be made for the transition election as provided for in Section 409.

(a) Not less than sixty (60) days prior to the election, the Election Committee shall request that declarations of candidacy or nominations of candidates be submitted in writing to the Election Committee. Any individuals who qualify under Section 402 may declare their candidacy or be nominated by another qualified voter. Nominations of candidates must be received in writing at least forty-five (45) days prior to the election, and the Election Committee will contact any person so nominated to determine such nominee's desire to be a candidate. Candidates' declaration of candidacy or confirmations of candidacy (if nominated by a qualified voter) and written statements of interest and qualifications must be received in writing by the Election Committee at least thirty (30) days prior to the election. The Election Committee may specify the format of candidates' written statements of interest. No nominations, declarations of candidacy or written statements of interest and qualifications will be accepted by the Election Committee following the deadlines set forth in this paragraph (a).

(b) At least two weeks prior to the election, the Election Committee shall give public written notice of the candidates for office and provide, or provide access to, the written statements of interest and qualifications and shall designate the date of the election, the polling place, and time. The Election Committee may, but is not required to, establish a format, date and time for a public forum for residents to hear from candidates in its sole discretion.

(c) Each qualified voter may cast a ballot on the day and at the time designated. Qualified voters may vote by absentee ballot. The Election Committee shall determine the rules for absentee voting from time to time.

(d) In the event that two or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two weeks of the original election. The Council may choose to hold the runoff election by mail ballot.

(e) Those persons newly elected as Council member(s) shall take office on July 1 following the election. The term of former Council member(s) shall expire simultaneously with the taking of office by the new Council member(s).

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(f) The Council is authorized to pass other regulations governing elections deemed necessary and consistent with this Section. (Char. Am. No. 2, 2-27-87; Char. Am. No. 3, 2-27-87.) »

## Village Council Elections: Procedures Manual

The Village of Martin's Additions is governed by a municipal Charter that provides for a five-member elected Council to set Village policy and work with the professional Village Manager. Council elections are held each Spring. The Election Committee maintains the voter rolls, accepts and makes nominations of candidates for the Village Council, and oversees the annual election. Any resident of the Village of Martin's Additions who is a qualified voter (18 years old as of the Village Election Day) may nominate another qualified resident or may declare his or her own candidacy.

### **Village Council Election Process**

As described in the Village Charter, the Election of Council members takes place on a date determined from year to year in accordance with Section 602 of the Charter. Council members are elected to terms of two years. The number of seats open on the Council alternates between two and three seats every other year. All elections are managed by the Election Committee. The Committee consists of a minimum of three, but preferably no less than five, people appointed by the Council from qualified voter volunteers. Each year the details of the election cycle for that year are published in the Village newsletter. The following guidelines apply:

- Not less than sixty days prior to the election, the Election Committee will request that declarations of candidacy or nominations of candidates be submitted in writing to the Election Committee. The Election Committee may specify in its request the format of candidates' written statements, including any standard questions to which all candidates are requested to respond. Nominations of candidates must be received in writing at least forty-five (45) days prior to the election, and the Election Committee will contact any person so nominated to determine such nominee's desire to be a candidate. Candidates' declaration of candidacy or confirmations of candidacy (if nominated by a qualified voter) and written statements of interest and qualifications must be received in writing by the Election Committee at least thirty (30) days prior to the election. No nominations, declarations of candidacy or written statements of interest and qualifications will be accepted by the Election Committee following the deadlines set forth in this paragraph. Candidates shall be required to certify in their written statements of interest that they have no disqualifying conflict of interest, as defined below.
- A "disqualifying interest" means that any person or an immediate family member, or such person's or family member's employer, has a direct or indirect relationship with the Village for business purposes, such as a contract to provide services to the Village.
- At least two weeks prior to the election, the Election Committee shall give public written notice of the candidates for office and provide, or provide access to, the written statements of interest and qualifications and shall designate the date of the election, the polling place, and time. The Election Committee may establish a format, date and time for a public forum for residents to hear from candidates.
- Each qualified voter may cast a ballot on the day and at the time designated. Qualified voters may vote by absentee ballot. The Election Committee shall determine the rules for absentee voting from time to time. The current rules are set forth under "Absentee Voting" below.

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- In the event that two or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two weeks of the original election. The Council may choose to hold the runoff election by mail ballot.
- Each candidate may designate one person as an official observer to be present when the ballots are being counted, although such observer may not participate in or otherwise disrupt the counting of the ballots.

### **Who Can Vote?**

Any natural person who is 18 years of age or older as of Election Day, whether or not a United States citizen, and who resides in or owns real property in Martin's Additions or, in the case of students such as college or boarding school students, a student who resides elsewhere during the school year but who maintain a permanent address in Martin's Additions, is entitled to vote in the Village Council election. Voters in Martin's Additions need not be registered to vote in Montgomery County or in the State of Maryland. The Election Committee will utilize the most recent electronically available version of the Village Directory to verify residents' names and addresses. Any voter not listed in the Village Directory should be prepared to show a driver's license, a utility bill or other documentation acceptable to the Election Committee in its sole discretion showing his/her Martin's Additions address when he/she comes to the polls. Questions regarding eligibility to vote at the polls or otherwise should be directed to the Chair of the Election Committee, who will refer the matter to the Election Committee for determination.

### **Voting Locations**

Voting will be conducted from 5:00-8:00 PM on Election Day in front of the Village Office at 7013B Brookville Road, if weather permits. If the weather is inclement, voting will take place in the Olympia Coffee Shop. All qualified voters are encouraged to vote by casting their ballots in the polling area. Write-in candidates are permitted. All voting is by secret ballot and election procedures are designed to ensure that voters have the opportunity to cast ballots in privacy. A street festival, "Celebration on the Sidewalk," traditionally takes place during the voting.

### **Absentee Ballots**

Residents who are unable to come to the polls on Election Day are encouraged to apply for an absentee ballot. To ensure privacy, absentee ballots will be assigned randomized control numbers and will not reflect any voter information on the ballot. Control numbers will be maintained by the Election Committee and will be utilized by the Election Committee for purposes of authenticating absentee ballots received. Absentee ballots may be requested from the Election Committee using any of the following methods:

(1) by coming to the Village Office (7013 Brookville Road, Suite B) in person to complete an absentee ballot application, or

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(2) by sending a request email to [VMAelections@gmail.com](mailto:VMAelections@gmail.com). Such email will be considered to be a ballot application and must contain the voter's full name and permanent address in Martin's Additions together with a stated preference for receiving the absentee ballot by mail or e-mail. If no such preference is stated, the request will be deemed to have specified a delivery preference of mail through the United States postal service. Following verification that the requester is a qualified voter by the Election Committee, an absentee ballot and instructions will be mailed or emailed, as specified, to the requesting voter.

Absentee ballots may be requested on an individual or household basis by the qualified voter or a member of his or her household; provided, that if the absentee ballot request states e-mail as a delivery preference, each voter for whom an absentee ballot is requested must have a separate individual e-mail address for receipt of such absentee ballot, and such e-mail address must be provided with the request for each such qualified voter. The Election Committee will not accept absentee ballot requests from any person or by any method except as described in this Absentee Ballots section.

Absentee ballots can be requested starting 21 days prior to election day.

Absentee ballots must be received by the Election Committee by election day by one of the methods below. The Election Committee takes no responsibility for late ballots. Completed absentee ballots must be returned to the Election Committee according to the following procedures:

- (1) by mailing via the United States postal service the completed ballot to the VMA Election Committee post office box as indicated on the absentee ballot instructions, to be received by 3 p.m. on election day.
- (2) by personally dropping the absentee ballot in the slot in the locked ballot box in the VMA office no later than 3:00 p.m. on the day of the election. The ballot must contain the assigned control number on the outer envelope to be considered eligible. Security of the locked ballot box will be maintained by the Election Committee and only designated members of the Election Committee will have access to the contents of the ballot box. Residents should not ask Village staff to handle completed ballots at any time.
- (3) by submitting the ballot in person at the polling place on Election Day during regular voting hours following verification by the Election Committee of the resident's identity and the ballot's control number.

### **Electioneering**

(1) Candidates' election materials: Residents may distribute candidates' information to Village households, provided that such distribution complies with United States postal service regulations (for example, no unstamped non-postal material in residents' mailboxes). Materials may be placed in mail door slots or inside screen doors.

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(2) Yard signs: Residents may display candidates' yard signs, provided that the size, location, construction, and duration of such signs comply with the County's sign ordinance (Article 59-F of the Montgomery County Code).

(3) On Election Day, no electioneering is permitted within 100 feet of the polling place (ballot table). Sound amplification systems such as bullhorns will not be permitted.