

Sponsored by:
Councilmember Gathercole

CHARTER RESOLUTION 23-CR-01

CHARTER RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF UNIVERSITY PARK, PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND §4-301 *ET SEQ.* OF LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AS AMENDED, TO AMEND THE CHARTER OF THE TOWN OF UNIVERSITY PARK, BY REPEALING AND RE-ENACTING ARTICLE V, “REGISTRATION, NOMINATIONS AND ELECTIONS”, SECTION 504, “ELECTIONS” TO PROVIDE FOR POLL HOURS BY DEFAULT, AUTHORIZE BALLOTS TO BE PROVIDED FOR VOTING BY MAIL TO ALL REGISTERED VOTERS, AND TO CHANGE THE REFERENCES TO ABSENTEE BALLOTS TO CONFORM TO STATE ELECTION LAW

Section 1: Be it resolved and ordained by the Mayor and Common Council of University Park that Article V, “Registration, Nominations and Elections”, Section 502, "Supervisors of Elections”, of the Charter of the Town of University Park be repealed, re-enacted and amended to read as follows:

Section 2: Be it further resolved and ordained by the Mayor and Common Council of University Park that Article V, “Registration, Nominations and Elections”, Section 504, “Elections” of the Charter of the Town of University Park be repealed, re-enacted and amended to read as follows:

Section 504 Elections.

(a) * * * * *

(b) AN ELECTION BALLOT SHALL BE MAILED TO ALL REGISTERED VOTERS IN THE TOWN PRIOR TO THE ELECTION. ONE POLLING PLACE WILL BE OPEN AT THE TOWN HALL ON ELECTION DAY UNLESS ANOTHER LOCATION IS

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[~~Brackets~~] indicate matter deleted from existing law

Asterisks indicate provisions of existing law which have been omitted from resolution and remain

DECLARED BY THE ELECTION SUPERVISORS AT LEAST 30 DAYS PRIOR TO ELECTION DAY. VOTERS MAY SUBMIT THEIR BALLOT BY MAIL, BY PLACING IT IN A DESIGNATED BALLOT BOX LOCATED AT THE TOWN HALL, OR AT THE POLLING PLACE ON THE DAY OF THE ELECTION. ~~[The Supervisors shall provide a suitable place or places for voting and suitable ballot boxes and ballots or voting machines.]~~ The ballots or voting machines shall show the name of each candidate arranged in alphabetical order according to their surnames, under the designation of the office for which they are candidates. In addition to surnames, the candidates' given name and middle initial shall be printed. The use of party affiliation or designation, nicknames, titles, degrees or other designations on the ballot is prohibited. The ballots shall also contain an appropriate space to permit voting for qualified "write-in" candidates, and an appropriate space to provide the option to vote for "none of the above". Only write-in candidates qualified pursuant to section 506 of this article may be elected. The Supervisors shall not provide ballots to any person, nor permit any person to vote, whose name does not appear in the registration books. **TO BE VALID, A BALLOT MUST BE RECEIVED PRIOR TO THE CLOSING OF THE POLLING PLACE ON ELECTION DAY**

(c) At or before the February general meeting each year, the Common Council will set the hours during which the polls will be open for the general elections in the Town, provided however that the polls shall be open at least the minimum of 1:00 p.m. to 8:00 p.m. If the Common Council fails to do so on or before that date, the hours during which the polls will be open for the Town general elections shall be ~~[8:00 a.m.]~~ 1:00 P.M. to 8:00 p.m.

(d) The Supervisors of Elections are authorized to permit voters to vote by absentee/MAIL IN ballot and shall establish procedures for voting by absentee/MAIL IN ballot. A registered voter must apply for such ballot to the Chair of the Supervisors of Elections not less than five (5) days before the date of the election. The Supervisors of Election shall verify the identity of the persons applying for an absentee/MAIL IN ballot. No absentee/MAIL IN ballot shall be counted unless it is received by the Supervisors on or before the date of election. The Supervisors shall maintain the control, supervision and secrecy of such ballots.

(e) – (k) * * * *

Section 3: Be it further resolved that this resolution is adopted after at least 21 days of prior public notice of the public hearing and shall become effective fifty days after enactment by the Mayor and Common Council of University Park, unless petitioned to referendum in a manner prescribed by law. If any section, subsection, provision, sentence, clause, phrase or word of this Charter Resolution is for any reason held to be illegal or otherwise invalid by any court

of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Charter Resolution, it being the intent of the Town that the remainder of the Charter Resolution shall be and shall remain in full force and effect, valid and enforceable.

Section 4: Be it further resolved that a complete and exact copy of this proposed Charter amendment shall be posted on the entrance door of the Town Hall of University Park, 6724 Baltimore Avenue, University Park, Maryland, for a period of not less than forty (40) days, and a fair summary of this Charter amendment shall be published at least four times on four successive weeks within that forty day period in a newspaper having general circulation in the community.

APPROVED this 6th day of December, 2023.

ATTEST:



Angela A. Lawrence, Interim Town
Administrator

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK


By: _____
Joel T. Biermann, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Suellen M. Ferguson, Town Attorney