

1 2022 Ordinance:
2 Election Rules and Procedures
3 (As adopted)

4 The Village of Martin’s Additions is governed by a municipal Charter that provides for a five-
5 member elected Council to appoint an Election Committee (“Committee”) that operates according to
6 rules and procedures adopted by the Council, pursuant to Section 602 of the Village Charter. The
7 Committee accepts nominations of candidates for the Village Council and oversees the annual
8 election.

9 The purpose of these rules and procedures are to provide for free and fair elections in the Village of
10 Martin’s Additions and to ensure that all qualified voters are able to freely exercise their right to
11 vote.

12 **Village Council Election Process**

13 The election of Village Council members takes place on a date determined from year to year in
14 accordance with Section 602 of the Charter. Council members are elected to terms of two years. The
15 number of seats open on the Council alternates between two and three seats every other year;
16 vacancies are filled per Section 408 of the Charter. All elections are managed by the Committee. The
17 Committee consists of a minimum of three, but preferably no fewer than five, qualified voter¹
18 volunteers appointed by the Council. The Council may appoint additional qualified voters as short-
19 term assistant Election Committee members, as needed. Committee members shall complete an Oath
20 and a Conflicts of Interest form, as provided by the Village, consistent with Village Policy. Each year
21 the details of the election cycle for that year are published in the Village newsletter. The following
22 rules and procedures apply:

23 1. Consistent with the Village Charter, no later than sixty (60) days prior to Election Day, the
24 Committee will open the nominations period and request that declarations of candidacy and
25 nominations of candidates be submitted in writing to the Committee. Any qualified voter may
26 declare their candidacy or be nominated by another qualified voter according to the election
27 rules and procedures. Qualified voters who nominate someone other than themselves must
28 include an email or signed written statement that can be dropped off at or mailed to the Village
29 office from the proposed candidate expressing his/her consent to be nominated. Anonymous
30 nominations are not permitted. All nominations must be received in the Committee inbox by the
31 deadline set by the Committee.

32

33 2. All nominated candidates shall submit (a) a statement of interest and qualifications, and (b) a
34 conflict of interest disclosure statement, in a form provided by the Village. The Election
35 Committee may specify standard formatting for the candidate statements and any standard
36 questions to which all candidates are requested to respond.

37 3. The Committee must receive all nominations and required candidate submissions in writing at
38 least forty-five (45) days prior to the election, in order for the candidate to be placed on the
39 official ballot. No nominations or candidate submissions will be accepted by the Committee if
40 received later than the deadlines specified here.

¹ Pursuant to the Village Charter, a qualified voter is “any person who owns property or any resident of Martin’s Additions who is eighteen years of age or over.”

41 4. The Committee shall establish a format, date and time for a candidate forum for qualified
42 voters and residents to hear from the candidates. The forum shall be moderated by the
43 Committee at its sole discretion. When such a forum is created, qualified voters are encouraged
44 to send proposed questions to the Committee via email (VMAElections@martinsadditions.org)
45 by the Committee-specified deadline or be prepared to ask them if/when called upon during the
46 forum. The Committee will not receive questions via phone or otherwise.

47

48 5. Pursuant to Charter Section 602(b), no later than two (2) weeks prior to the election, the
49 Committee shall publish the written statements of the candidates for office, the official
50 election notice and forum notice, and general voting instructions.

51 6. Pursuant to the Charter and these rules and procedures, each qualified voter may cast a
52 mail-in ballot provided by the Committee, subject to the schedule publicly announced by the
53 Committee.

54 7. Blank lines will be placed on the ballot for the purpose of adding write-in candidates at the
55 time of the election. A successful write-in candidate shall be required to submit a Conflicts of
56 Interest disclosure statement no later than seven (7) business days following the election.

57 8. In the event that two or more candidates receive the same number of votes where only one can
58 be elected, there shall be a runoff election within two weeks of the May 23 deadline, when votes
59 are tabulated and recorded In this election, runoffs shall be held by mail.

60 9. Each candidate may designate one person as an official observer to be present when the
61 ballots are being counted. Other qualified voters may also observe, although observers
62 who are not candidates or designated observers may not participate in or otherwise disrupt
63 the counting of the ballots. Specific vote counting procedures will be recommended by the
64 Committee and adopted by the Council each year, as appropriate.

65

66 **Who Can Vote?**

67 Pursuant to the Charter Section 301, a qualified voter is “any person who owns property or any
68 resident of Martin’s Additions who is eighteen years of age or over.” In the case of students such as
69 college or boarding school students, a student who resides elsewhere during the school year but who
70 maintains a permanent address in Martin’s Additions is deemed a resident and entitled to vote in the
71 Village Council election. Voters in Martin’s Additions need not be registered to vote in Montgomery
72 County or in the State of Maryland and need not be U.S. citizens. The Committee will utilize the
73 most recent electronically available Village resident contact information and other sources needed to
74 confirm voters’ names and addresses and shall develop, verify and certify the voter rolls with the
75 assistance of the Village staff. New voters may request to be added to the voter roll up to 12:00 PM
76 on Election Day, May 10, which is the ballot drop-off deadline. To be eligible to receive a mail
77 ballot, new voters should be prepared to show a driver’s license, a utility bill, or other documentation
78 acceptable to the Committee in its sole discretion, showing the voter’s Martin’s Additions address.

79 **Plan for the 2022 VMA Election**

80 VMA’s 2022 election will be held entirely by mail. There will be no in-person voting. Voters will
81 mail their completed ballots back to the election service provider in the postage-paid envelopes
82 issued by the provider. On Election Day, May 10, the Committee will also provide an opportunity

83 for voters to drop off their completed ballot envelopes in a ballot box, to be conveyed to the
84 election service provider for counting.

85 Traditional absentee ballots will not be necessary, because every person on VMA’s voting roll will
86 automatically receive a ballot by mail.

87 If a voter is planning not to be at his or her VMA address during the voting process, he/she may elect
88 to receive a ballot by mail at a different location by so informing the Committee no later than 12:00
89 PM on May 10. No one may vote two ballots at two different addresses. If a voter has lost or damaged
90 his or her ballot or ballot return envelope, he/she may contact the Committee no later than 8:00 PM on
91 May 10 to request a replacement ballot. On receipt of such a request, the Committee will instruct the
92 service provider to void the previous ballot sent to that voter and mail the replacement ballot. All
93 completed ballot envelopes must be received by the service provider by 5:00 p.m. on May 23, 2022.

94 Nominations

95 The Committee will issue a call for candidates on **February 18, 2022**. Any qualified voter may run
96 for office. Qualified voters may nominate themselves or be nominated by another qualified voter, in
97 writing. Nominations may be made only by qualified voters; anonymous nominations are not
98 permitted. Qualified voters who nominate themselves must submit an affirmative statement or email
99 stating that they wish to run for office. Qualified voters who nominate someone other than
100 themselves must include an email or signed written statement that can be dropped off at or mailed to
101 the Village office from the proposed candidate expressing his or her consent to be nominated. The
102 nominations period will open on **February 18** and close on **March 18, 2022, at 6:00 pm**.
103 **Nominations must have been received by the Committee no later than that deadline.** A thirty-
104 minute grace period will be allowed for email nominations to arrive in the Committee’s email inbox.

105 To be placed on the official ballot, all candidates must submit by email to the Election
106 Committee (a) a brief Candidate Statement of up to approximately 700 words, including their
107 qualifications as well as any other information they deem relevant, and (b) their signed and
108 completed Conflicts of Interest Disclosure form. The Election Committee will specify the form
109 of both documents when the nomination period opens. **Both documents must be received by**
110 **the Committee in its email inbox no later than 6:00 p.m. on March 25, 2022.** A thirty-minute
111 grace period will be allowed for email submissions to arrive in the Committee’s email inbox.

112 The Committee will review the submissions and identify any nomination materials that are
113 incomplete. The Committee will notify the candidate, and the candidate will have 24 hours to
114 submit an updated form addressing the issue. Submission of updated materials will not be
115 subject to the deadline above for submissions.

116 Candidate Announcements and Candidate Forum

117 The Committee will promptly notify the Village of the candidates for office and publish the
118 election information and candidate statements by email, by posting on the Village’s website and in
119 a mailed election packet. Information will also be included in the Village’s Friday wrap-up emails
120 and newsletters and will be available for review in the Village Office throughout the election
121 period.

122 The Committee will host a Candidate Forum to be conducted by Zoom or other electronic means
123 on a date in April, but expected to be held no later than Monday, April 11, 2022, that is agreed
124 upon by the Committee and candidates, to allow qualified voters and residents to hear from
125 candidates and ask questions. The Committee shall provide a mechanism for qualified voters and
126 residents to offer questions to be asked anonymously. The Committee shall moderate the forum in
127 an impartial manner. This includes: (a) the forum should cover a broad range of issues; (b)

128 candidates should have equal time to present their views; and (c) the moderator remains neutral and
129 does not imply approval or disapproval of the candidates. Qualified voters and residents are
130 encouraged to send their questions for the candidates to the Committee by the means specified by
131 the Committee.

132 Election Procedures

133 Pursuant to the Charter and these rules and procedures, each qualified voter may cast a ballot,
134 according to the following vote-by-mail procedures.

- 135 1) After the candidate forum is held, the election service provider will mail via first class post
136 (a) a ballot, (b) voting instructions prepared by the committee in consultation with the
137 election service provider, and (c) a postage-paid return ballot envelope to each voter listed
138 on the voter roll at their address of record.
- 139 2) Ballot envelopes will bear on their exterior a service-provider-issued control number and
140 an affidavit in accordance with Maryland law requiring the voter to attest to the voter's
141 identity and eligibility. The affidavit must be signed by the voter.
- 142 3) All ballot envelopes must be received by the election service provider no later than **5 p.m.**
143 **on May 23, 2022.** The VMA Election Committee shall send reminders for all qualified
144 voters to return ballots by mail as soon as possible or no later than May 10 so they are
145 received by the service provider in time to be counted. Ballots received after May 23 shall
146 be rejected and not included in the ballot counting.
- 147 a. Ballots must be returned in the service-provider-issued return envelope.
 - 148 b. Ballot return envelopes must be sealed.
 - 149 c. Ballot return envelopes must bear a valid control number that has not been
150 canceled or voided.
 - 151 d. Voters must have written their full name as it appears on the ballot envelope as
152 well as the house number and street name of qualifying address in the Village on
153 the issued return envelope.
 - 154 e. If voters from the same household use each other's envelopes, those ballot return
155 envelopes shall be accepted as valid.
- 156 4) For voters' convenience, the Election Committee will also provide a secure ballot box to
157 collect completed ballot envelopes on the evening of **Election Day, May 10, 2022.** Voters
158 may deposit their sealed ballot envelopes containing a voted ballot and bearing a
159 completed affidavit in the Election Committee ballot box between the hours of **5:00 p.m.**
160 **and 8:00 p.m. on May 10.** Promptly after 8:00 p.m., the Election Committee shall open
161 the ballot box, count the number of ballot return envelopes in the box, and then convey the
162 ballot envelopes to the service provider. The election service provider shall hold all ballots
163 received until the date for ballot counting, **May 23, 2022.**
- 164 5) Between the hours of 5:00 p.m. and 8:00 p.m. on May 10, the Election Committee will
165 also provide an opportunity for qualified voters whose ballots have been lost, damaged,
166 spoiled, or are otherwise unable to be voted, to request that their existing ballot be voided
167 and a new ballot be mailed to them by the election service provider.
- 168 6) The service provider shall count the votes on the ballots on **May 23** and ensure that the
169 Election Committee and candidate observers can clearly observe the counting process.
- 170 a. Prior to the counting of the ballots, the Committee shall propose procedures for
171 the Council to adopt relating to the vote counting.
- 172 7) Following the 5 p.m. deadline on May 23, the election service provider shall examine
173 the ballot envelopes without opening them and identify non-conforming envelopes.
174 The provider shall then display each such non-conforming envelope to the Election
175 Committee members, who will then decide, based on a majority vote, whether each
176 such envelope has the potential to be 'cured' or corrected of any discrepancies or
177 deficiencies. If so, within a 24-hour period, a reasonable and meaningful attempt
178 must be made the Election Committee to contact the voter identified by the control

179 number on that envelope. However, ballot envelopes that are unsigned shall not be
180 eligible for curing.

- 181 8) Candidates or their designated representative(s) — only one per candidate — may observe
182 the tallying, review, and adjudication process. Candidates or their designated observers
183 may raise objections during the counting process. The candidate or designated observer
184 must identify the challenge at the time of vote counting.
- 185 9) At the vote counting session, the service provider shall tally all votes cast, including the
186 write-in votes. The service provider shall deliver a complete, certified Official Count of
187 Ballot Report to the Election Committee by email within 48 hours.
- 188 10) The Committee shall review the Report, address any remaining ballot or vote issues, and
189 certify the election by Committee vote. The Committee shall announce the election results
190 as soon as practicable.
- 191 11) The election service provider shall return all ballots, ballot return envelopes, and other
192 election materials to the Village Office by mail or courier, for preservation according to
193 the Village’s state-approved Document Retention policy.
- 194 12) In the event that two (2) or more candidates receive the same number of votes where only
195 one can be elected, there shall be a runoff election within two (2) weeks of May 23, when
196 votes are tabulated and recorded. The Committee shall conduct any runoff election by
197 mail-in ballot consistent with relevant provisions of the Charter.

198 **Records**

199 All election records, including nominations, candidate statements, ballots, envelopes, and all
200 materials pertaining to voter rolls and the voting process, shall be securely stored at the Village
201 Office, in accordance with the Village’s Document Retention Schedule.

202 **Electioneering**

- 203 1) Residents may distribute candidates’ information to Village residents, provided that such
204 distribution complies with applicable laws, including Sections 7-208 and 9-106 of the Village
205 Code and the United States postal service regulations (for example, no unstamped non-postal
206 material may be placed in residents’ mailboxes).
- 207 2) All candidates’ brochures and election materials must prominently state that they have been
208 paid for by, or on behalf of, the candidates.
- 209 3) Use of the Village logo and/or letterhead on election campaign materials is prohibited.
210 Candidates’ materials may not imply, suggest, or give the impression of any official
211 endorsement by the Village of Martin’s Additions.
- 212 4) Candidates’ campaigns may give residents token gifts that display candidate information,
213 provided that such gifts do not exceed \$1 in fair market value.