

Resolution No.: 2019-12-1
Introduced: December 19, 2019
Adopted: February 20, 2020
Effective Date: March 12, 2020

THE VILLAGE OF MARTIN'S ADDITIONS

**SUBJECT: A RESOLUTION TO AMEND THE ELECTION RULES
AND PROCEDURES.**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland or public general law as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, Section 2-101 of the Code of Ordinances of the Village of Martin's Additions establishes a Village Election Committee to manage all Village elections; and

WHEREAS, pursuant to the Village Charter, Section 602, the Election Committee shall operate according to rules and procedures adopted by the Council; and

WHEREAS, the Village Council finds that the rules and procedures attached hereto, as amended, would promote the good government of the Village and protect and preserve the Village's rights, property, and privileges; and

WHEREAS, this Resolution was considered in open session on December 19, 2019 and February 20, 2020.

NOW, THEREFORE, BE IT:

RESOLVED that the amendments to the attached Election Rules and Procedures be and are hereby adopted by the Village Council, and it is further,

RESOLVED, that the foregoing Resolution shall become effective on March 12, 2020, and it is further,

RESOLVED, that written notice of the adoption of the foregoing Resolution shall be provided to Village residents in accordance with Section 502(d) of the Village Charter, and it is further,

RESOLVED, that the foregoing Resolution shall be permanently filed by the Secretary and kept available for public inspection.

Tiffany Cissna
Tiffany Cissna, Chair
Village Council

I, the undersigned Secretary of the Village Council, hereby certify that the foregoing Resolution was adopted by the Council at its meeting on February 20, 2020.

Katya Hines
Katya Hines, Secretary

Village of Martin's Additions
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Policy No. 2019-12-2

Election Rules and Procedures

The Village of Martin's Additions is governed by a municipal Charter that provides for a five-member elected Council to appoint an Election Committee (Committee) that operates according to rules and procedures adopted by the Council, pursuant to Section 602 of the Village Charter. The Committee maintains the voter rolls, accepts and makes nominations of candidates for the Village Council, and oversees the annual election.

Village Council Election Process

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. In general, the number of seats open on the Council alternates between two and three seats every other year unless there is a vacancy as provided for in Section 408 of the Charter. All elections are managed by the Committee. The Committee consists of a minimum of three, but preferably no fewer than five, qualified voter volunteers appointed by the Council. The Council may appoint additional qualified voters as short-term, assistant Election Committee members as needed. Committee members shall complete an Oath, on a form provided by the Village Council. Each year the details of the election cycle for that year are published in the Village newsletter. The following rules and procedures apply:

1. No later than seventy-five (75) days prior to the election, the Committee will open the nominations period and request that declarations of candidacy and nominations of candidates be submitted in writing to the Committee. Any qualified voter may run for office. Residents may nominate themselves or be nominated by another qualified voter. Nominations may be made only by verified qualified voters; anonymous nominations are not permitted. Residents who nominate someone other than themselves must include an email or signed written statement from the proposed candidate expressing his/her consent to be nominated.
2. All nominated candidates shall submit (a) a statement of interest and qualifications, and (b) a conflicts of interest disclosure statement, in a form provided by the Ethics Committee. The Election Committee may specify any standard questions to which all candidates are requested to respond.

3. Nominations and required candidate submissions must be received in writing at least forty-five (45) days prior to the election, in order for the candidate to be placed on the official ballot. No nominations or candidate submissions will be accepted by the Committee if received later than the deadline specified here.
4. Pursuant to Charter Section 602(b), no later than two (2) weeks prior to the election, the Committee shall give public 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.
5. The Committee may establish a format, date and time for a public forum for residents to hear from candidates. The forum shall be moderated by the Committee at its sole discretion.
6. Pursuant to the Charter and these rules and procedures, each qualified voter may cast a ballot on the day and at the time designated or may vote by absentee ballot. The rules for voting absentee are set forth under "Absentee Voting" below.
7. Blank lines will be placed on the ballot for the purpose of adding write-in candidates at the time of the election. A successful write-in candidate shall be required to submit a conflicts of interest disclosure statement no later than seven (7) business days following the election.
8. 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 instruct the Election Committee to hold the runoff election by mail ballot.
9. 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?

Pursuant to the 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." In the case of students, such as college or boarding school students, a student who resides elsewhere during the school year but who maintains a permanent address in Martin's Additions, is deemed a resident and 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 Committee will utilize the most recent electronically available Village qualified voter contact information to verify residents' names and addresses. Any voter not listed in the data should be prepared to show a driver's license, a utility bill or other documentation acceptable to the 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 Committee, who will refer the matter to the 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 Village Office with appropriate accommodations to be made by the Committee for accessibility concerns. 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 Voting

Residents may 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 Committee and will be utilized by the Committee for purposes of authenticating absentee ballots received. Absentee ballots may be requested from the 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 provided by the Committee, or

(2) by sending a request via

(a) email to VMAelections@gmail.com or

(b) mail to the Election Committee at the VMA Office address.

Such correspondence will be considered to be a ballot application and must contain the qualified 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 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 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 Committee by election day by one of the methods below. The Committee takes no responsibility for late ballots. Requests for absentee ballots should be made sufficiently in advance of the election to allow time for delivery. Delivery times cannot be guaranteed. Completed absentee ballots must be returned to the Committee according to the following procedures:

- (1) by mailing via the United States postal service the completed ballot to the 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 Committee and only designated members of the Committee, who do not have access to the control numbers, 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 Committee of the resident's identity and the ballot's control number.

Records

All election records, including nominations, absentee ballot requests, and ballots, shall be maintained at the Village Office, in accordance with the Village's Document Retention Schedule. Ballots shall be securely stored until such time as they may be destroyed in accordance with the Document Retention Schedule.

Electioneering

1. Candidates' election materials:
 - (a) Residents may distribute candidates' information to Village residents, provided that such distribution complies with applicable laws, including Sections 7-208 and 9-106 of the Village Code and the United States postal service regulations (for example, no unstamped non-postal material in residents' mailboxes).
 - (b) All candidates' brochures and election materials must prominently state that they have been paid for by (or on behalf of) the candidates.
 - (c) Use of the Village logo and/or letterhead on election campaign materials is

prohibited. Candidates' materials may not imply, suggest, or give the impression of any official endorsement by the Village of Martin's Additions.

- (d) Candidates' campaigns may give residents token gifts that display candidate information, provided that such gifts do not exceed \$1 in fair market value.
- 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, the Election Committee shall set and enforce a reasonable "No Electioneering Zone" around the polling place (ballot table) of no greater than a 100-foot radius. Sound amplification systems such as bullhorns will not be permitted.

Policy Number: 2019-12-2

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