

Registration, Nominations, and Elections

Section 20. Qualifications of Voters.

Every person who for at least 30 days prior to the election in said town, is registered with the Kent County Board of Election Supervisors as a voter residing within the corporate limits of said town, shall be a qualified voter of the Town.

Section 21. Districting and Apportionment.

It shall be the duty of the Mayor and Council, by Ordinance, to divide the Town into four (4) wards and apportion the Council in such manner for election purposes so as to reflect population and voter equality.

Section 22. Board of supervisors of elections.

There shall be a Board of Supervisors of elections, consisting of three members who shall be appointed by the Mayor with the approval of the Council on or before the first Monday in October in every second odd-numbered year. The terms of members of the board of supervisors of elections shall begin on the first Monday in October in the year in which they are appointed and shall run for four years. Members of the board of supervisors of elections shall be qualified voters of the town and shall not hold or be candidates for any elective office during their term of office. The Mayor and Council shall appoint one of the members of the board as chairman. Vacancies on the board shall be filled by the mayor with the approval of the council for the remainder of the unexpired term. The compensation of the members shall be determined by the council.

Section 23. Same – Removal of members.

Any member of the board of supervisors of elections may be removed for good cause by the council. Before removal, the member of the board of supervisors of elections to be removed shall be given a written copy of the charge against him and shall have a public hearing on them before the council if he so requests within ten days after receiving the written copy of the charges against him.

Section 24. Same – Duties.

The board of supervisors of elections shall be in charge of all town elections. The board may appoint election clerics or other employees to assist it in any of its duties.

Section 25. Notice of registration days and elections.

The board of supervisors of elections shall give at least two weeks' notice of every registration day and every election by an advertisement published in at least one newspaper of general circulation in the town and by posting a notice thereof in some public place or places in the town.

Section 26. Appeal from action of board of supervisors of elections.

If any person shall feel [feel] aggrieved by any action of the board of supervisors of elections in refusing to register or in striking off the name of any person, or by any other action, such person may appeal to the council. Any decision or action of the council upon such appeals may be appealed to the circuit court for the county within thirty days of the decision or action of the council.

Section 27. Candidates.

(a) Any person desiring to have his name placed upon the official ballot at the time of election for Mayor or Councilmember, shall at least thirty days prior to the election file with the Supervisors of Election, a petition setting forth his name, residence, age, the length of time he has lived in the town, the office which he seeks, and such petition shall be signed by at least twenty qualified voters, and in the case of a candidate for Councilmember, the voters signing the said petition shall reside within the limits of the ward for which he is a candidate.

(b) *Certificate of candidacy* – A certificate in the following form shall be sufficient:

To the Supervisors of Election of Chestertown, Maryland:

I hereby request that you print my name on the official ballot in the town election to be held _____ as candidate for _____ and I do hereby certify that my name is _____: I am _____ years old; I am a resident of the _____ ward, and have lived in the town for _____ years; I am a registered voter. I hereby certify that I am qualified to file this Petition of Candidacy, that I have met the residency requirement of 2 years if running for Mayor and 1 year if running for Councilperson with 30 days as a resident of the ward. My current legal street address is _____

Date _____ Printed Name and signature _____

We, the undersigned, qualified electors in said town request the candidacy of _____

Printed Name	Signature	Ward	Full Street Address
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Section 28. Election of Mayor and Councilmen.

On the first Tuesday in November 2001 and on the first Tuesday in November every fourth year thereafter, the qualified voters of the town shall elect one person as Mayor of said town, who shall have the necessary qualifications as hereinbefore provided. The Mayor so elected shall serve a term of four years, or until his successor is elected and qualified.

On the first Tuesday in November 2001 the qualified voters of the town shall also elect two persons to be members of the council of said town, one each from the 1st and 3rd wards, who shall have the necessary qualifications as hereinbefore provided. The councilmen so elected from the 1st and 3rd wards shall serve a term of 4 years, or until their successors are elected and qualified. The councilmen from the 2nd and 4th wards shall complete their present term of 4 years, or until their successors are elected and qualified. Thereafter, commencing with the first Tuesday in November 2003 and on the first Tuesday in November in every second year thereafter, the qualified voters of the town shall elect two persons to be members of the Council of said town, who shall have the necessary qualifications as hereinbefore provided, and who shall serve a term of four years, or until their successors are elected and qualified. (Res. No. 2-01, 3-27-01.) (See note (3))

Section 29. Conduct of elections generally.

It shall be the duty of the board of supervisors of elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or 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. The board of supervisors of elections shall keep the polls open from 7:00 A.M. to 8:00 P.M. on election days or for longer hours if the council requires it.

Section 30. Absentee Voting.

The Mayor and Council shall make provisions for an absentee ballot for those persons who are qualified to vote and may be unavoidably absent from Chestertown for any reason on election day or for those persons who are qualified to vote and whose physical disability will prevent them from being present at the polls on election day.

Section 31. Special Elections.

All special town elections shall be conducted by the board of supervisors of elections in the same manner and with the same personnel, as far as practicable, as regular town elections.

Section 32. Vote Count.

Within forty-eight hours 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 Manager who shall record the results in the minutes of the Council. The candidate for Mayor with the highest number of votes in the general election shall be declared elected as Mayor. The candidates for councilmember with the highest number of votes in each ward in the general election shall be declared elected as councilmember to represent said ward in the town council.

Section 33. Ballots.

All ballots used in any town election shall be preserved for at least six months from the date of the election.

Section 34. Regulation and control by council.

The council shall have the power to provide by ordinance or emergency ordinance in every respect not covered by the provisions of this charter for the conduct of registration, nomination, and town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

Section 35. Penalties.

Any person who (a) fails to perform any duty required of him under the provisions of the subtitle or any ordinances passed thereunder, or (b) willfully or corruptly does anything which will or will tend to affect fraudulently and registration, nomination, or town election, shall be deemed guilty of a misdemeanor. Any officer or employee of the town government who is convicted of a misdemeanor

under the provisions of this section shall immediately upon conviction thereof cease to hold such office or employment.

Finance

Section 36. Fiscal Year.

The town shall operate on an annual budget. The fiscal year of the town shall begin on the first day of July and shall end on the last day of June in each year. Such fiscal year shall constitute the tax year, the budget year, and the accounting year.

Section 37. Budget.

The Mayor, on such date as the Council may require, but at least thirty-two days before the beginning of any fiscal year, shall submit to the Council a budget. The budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year. The budget may also provide a contingent fund not to exceed ten per cent (10%) of the total amount of the budget. The total of the anticipated revenues shall equal or exceed the total of the proposed expenditures. The budget shall show in each category the amount budgeted for the current fiscal year and actual expenditures as of the the end of the previous month, as well as proposed expenditures for the coming fiscal year. Along with the budget the Mayor shall present a statement showing the Town's total assets and liabilities. The budget shall be a public record in the office of the Mayor and Council open to public inspection by anyone during normal business hours.

Section 38. Same – Adoption.

Before adopting the budget, the Council shall hold a public hearing thereon after two successive weeks' notice in some newspaper or newspapers having general circulation within the municipality. The Council may insert new items or may increase or decrease the items of the budget. Where the Council shall increase the total proposed expenditures, it shall also increase the total anticipated revenues in an amount at least equal to such proposed total expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of at least a majority of the total elected membership of the Council shall be necessary for adoption.

Section 39. Appropriations.

No public money may be expended without having been appropriated by the Council. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein.

Section 40. Transfer of funds.

Any transfer of funds between major appropriations for different purposes by the Mayor must be approved by the Council before becoming effective.

Section 41. Over-expenditures forbidden.

No officer or employee shall during any budget year expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amounts appropriated for or transferred to that general classification of expenditures pursuant to this charter. Any contract, verbal or written, made in violation of this charter shall be null and void. Nothing in this section contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds or notes, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law, nor the expending of money out of the contingent fund or other reserves or other surpluses for town purposes after the approval of the same by a majority of the total elected membership of the council.

Section 42. Appropriations lapse after one year.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. Any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year. Any expenditure of such surplus or unbudgeted funds in a subsequent year shall be by amendment to the budget to be adopted in the form of an ordinance.

Section 43. Checks.

All checks issued in payment of salaries or other municipal obligations shall be issued and signed by those designated by the Mayor. All checks shall require two signatures.

Section 44. Taxable property.

All real property and all personal property within the corporate limits of the town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for the municipal purposes, and the assessment used shall be the same as that for State and County taxes.