

Town of Garrett Park
Resolution
Amending Section 78-20 of Article III of the Garrett Park
Charter: Qualifications of Voters
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-20 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-20: Qualifications of voters

Every person who (1) legally resides within the corporate limits of the town on the day he or she registers to vote and continuously thereafter until casting his or her vote in any Garrett Park election, (2) is at least eighteen years of age, and (3) is registered in accordance with the provisions of this Charter is a qualified voter of the town. Every qualified voter of the town is entitled to vote in all town elections.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.



Gene Swearingen, Town Manager/ Clerk / Treasurer



Town of Garrett Park
Resolution
Amending Section 78-21 of Article III of the Garrett Park
Charter: Judges of Elections
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-21 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-21. Election Judges.

- (a) The election judges shall ensure the integrity of the voting process and that the election is fair, honest, and an accurate representation of the votes cast. The judges are responsible for all aspects of conducting the elections, consistent with the charter and policies adopted by ordinance. The election judges shall establish all rules and procedures for the conduct of elections, and shall have sole authority to interpret those rules and procedures.

- (b) The election judges shall ensure that only qualified voters cast votes, and shall make all decisions necessary to determine who may vote, what ballots are valid, and how ballots are tabulated.
- (c) The election judges shall ensure the integrity of the ballot box, if used, or other vote recording and tabulation mechanisms.
- (d) It is the duty of the election judges to ensure that for each special and general election a suitable place or places and times are provided for voting and suitable ballot boxes and ballots and/or voting machines, consistent with policies adopted by ordinance.
- (e) There shall be three judges of election who shall be appointed by the mayor with the approval of the council on or before the second Monday in February in every odd-numbered year. The terms of the judges of elections begin on the second Monday in February in the year in which they are appointed and run for two years. Judges of elections shall be qualified voters of the town and shall not hold or be candidates for any town, county, state, or federal government elective office during their term of office
- (f) The election judges shall select one member as chief election judge.
- (g) Vacancies shall be filled by the mayor with the approval of the council for the remainder of any unexpired term.
- (h) The compensation of the judges shall be determined by the council.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.

Gene Swearingen
Gene Swearingen, Town Manager/ Clerk / Treasurer



Town of Garrett Park
Resolution
Amending Section 78-22 of Article III of the Garrett Park
Charter: Registration
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-22 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-22. Registration.

The town manager shall provide for the registration of voters in a flexible and available manner in order to encourage registration and voting, consistent with the policies adopted by ordinance and the rules and procedures specified by the election judges. Qualified persons may register by universal registration with either Montgomery County or the town, or may register only with the town, including residents who are not citizens of the United States, up to and including election day.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.


Gene Swearingen, Town Manager/ Clerk / Treasurer



Town of Garrett Park
Resolution
Amending Section 78-23 of Article III of the Garrett Park
Charter: Nominations
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-23 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-23. Nominations.

Persons may be nominated for elective office in the town at a meeting as specified by ordinance, which shall occur at least 30 days prior to the election, or by petition signed by ten registered voters and filed with the town manager at least 21 days before the date of the town election.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.


Gene Swearingen, Town Manager/ Clerk / Treasurer



Town of Garrett Park
Resolution
Amending Section 78-24 of Article III of the Garrett Park
Charter: Election of mayor and councilmen
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-24 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-24. Election of mayor and councilmembers.

On the first Monday in May in every even-numbered year, the qualified voters of the town shall elect one person as mayor and two persons as councilmembers to serve for terms of two years; on the first Monday in May in every odd-numbered year the qualified voters of the town shall elect three persons as councilmembers to serve for terms of two years. The newly elected and certified mayor and councilmembers shall take office at the next council meeting after the election. Vacancies shall be filled in accordance with the provisions of section 78-13.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.



Gene Swearingen, Town Manager/ Clerk / Treasurer



Town of Garrett Park
Resolution
Amending Section 78-25 of Article III of the Garrett Park
Charter: Conduct of elections generally
July 10, 2017

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-25 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-25. Conduct of elections.

The election judges shall:

- (a) Take actions to encourage voting by making registration and absentee ballots easily available with minimum constraints, by allowing all persons to vote who claim to be eligible, and by issuing provisional ballots to those for whom eligibility cannot be determined immediately.
- (b) Establish rules and procedures to enforce the integrity of the voting process, including restrictions on campaigning and attempts to influence or to intimidate

voters in or near the polling place. Develop policies and regulations to support the ability for qualified voters to be poll watchers and to observe voting without interfering with the electoral process except to challenge the qualifications of potential voters.

- (c) Prepare in writing the rules and procedures developed under subsection (b) above or any amendments to previously published rules and procedures, shall circulate the proposed rules and procedures to the mayor and the members of the town council and shall provide public notice of the proposed rules and procedures at least 60 days prior to the next election to which they would apply. The rules and procedures shall take effect 30 days prior to the next election to which they would apply.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.



Gene Swearingen, Town Manager/ Clerk / Treasurer



**Town of Garrett Park
Resolution
Amending Section 78-26 of Article III of the Garrett Park
Charter: Vote Count
July 10, 2017**

Whereas, the Garrett Park Town Council has carefully reviewed the existing Garrett Park Charter provisions associated with election of the Mayor and Councilmembers of Garrett Park; and

Whereas, the Council finds that the process defined by this article of the Charter does not reflect current practices and the developing needs of the Town; and

Whereas, the Council wishes to define further the role and responsibilities of the Election Judges in order to assure the integrity of the voting process and that the election is a fair, honest, and an accurate representation of the votes cast, and to clarify that the Election Judges are responsible for all aspects of conducting the elections; and

Whereas, the Council desires to establish an electoral process which encourages all residents of the Town to vote by eliminating complexities and barriers and by creating a mechanism which allows voting over a range of circumstances; and

Whereas, the Council intends to clarify the role of poll watchers, management of the polling place, and constraints on campaigning and influencing voting in and near the polling place; and

Whereas, the Council believes that more flexibility is required in the process and timing of counting votes, certifying election results, and swearing in the elected Mayor and Councilmembers;

Now therefore be it resolved, that pursuant to Article XI-E of the Constitution of Maryland, Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Garrett Park, Article III, Section 78-26 of the Garrett Park Charter is repealed in its entirety and is replaced insertion underlined as follows:

Section 78-26. Vote count.

The election judges shall determine the vote cast for each candidate or question and shall certify the results of the elections as quickly as reasonably possible, consistent with the provisions of section 78-24. Preliminary results may be announced when the determination can be made that outstanding absentee and provisional ballots would not change the results. Certification of results shall occur only after all absentee ballots are counted and provisional ballot issues are resolved and shall be recorded in the minutes of the next council meeting. The candidate for mayor with the highest

number of votes in the general election shall be declared elected as mayor. The two candidates for councilmember (three in odd-numbered years) with the highest number of votes in the general election shall be declared elected as councilmembers.

I hereby certify that by a vote of 5 to 0 the foregoing resolution was passed by a majority of all the Garrett Park Town Council members, at a duly called meeting held on the 10th day of July, 2017.



Gene Swearingen, Town Manager/ Clerk / Treasurer

