

TOWN OF EDDINGTON

**ORDINANCE FOR THE
RECALL OF ELECTED MUNICIPAL OFFICIALS
EDDINGTON, MAINE**

ACCEPTED

NOVEMBER 7, 2000

*ORDINANCE FOR THE
RECALL OF ELECTED MUNICIPAL OFFICERS*

SECTION 1. Establishment

Under M.R.S.A. Title 30-A Section 2602 (6) amended October 13, 1993 a town may enact an ordinance for the recall and removal of elected municipal officials with the exception of school board members as noted in M.R.S.A. 30-A section 2602.

SECTION 2. Applicability

Any elected municipal official, with the exception of school board members, of the Town of Eddington may be recalled and removed from office as herein provided for.

SECTION 3. Petitions for Recall

- a. The petition for recall must contain only signatures of the registered voters of the Town of Eddington, equal to at least ten percent (10%) of the number of votes cast in the last Gubernatorial election but in all cases not less than ten.
- b. The petition shall be addressed to the Board of Selectmen, except any member whose removal is being sought.
- c. The petition shall state the name and office of the person whose removal is being sought, and a general statement of the reason such removal is desired.
- d. There shall be separate petition for each official whose removal is being sought.
- e. Each page of the petition shall provide a space for the voter's signature, address and printed name.
- f. All petition pages thereof shall be filed as one document.

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SECTION 4. Clerks Certification

Within ten (10) days of receipt of the petition, the Town Clerk shall certify the signatures contained on the petition and shall determine if the petition meets all of the requirements as set forth in section 3 of this ordinance. If the petition is determined to be insufficient, the clerk shall attach a statement to the petition listing the deficiencies, and shall file the petition and attached statement in the clerk's record. The Clerk shall notify in writing the voter who filed the petition of the deficiencies, and the Clerk shall take no further action on the petition.

SECTION 5. Call the Recall Election

- a. If the petition is certified by the Town Clerk to be sufficient, he or she will submit the same with his or her certification in writing to the Board of Selectmen at their next regular meeting and shall notify in writing the official or officials whose removal is being sought of such action.
- b. The Selectmen, upon receipt of the certified petition, shall within ten (10) days of receipt, order an election by secret ballot to be held not less than 30 nor more than 60 days thereafter. If a certified petition is received by the selectmen within 90 days of the next regular municipal election, the selectmen, in their discretion, may provide for the holding of the recall election on the date of said regular municipal election.
- c. In the event that the Town Selectmen fail or refuse to order an election as herein provided, the Town Clerk shall call the election to be held not less than 30 days nor more than 60 days following the selectmen's failure or refusal to order the required election.

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SECTION 6. Ballots for Recall Election

Unless the official or officials whose removal is being sought have resigned within ten (10) days of receipt of the petition by the Board of Selectmen, the ballots shall be printed and shall read
"SHALL _____ BE RECALLED?" with the name of the official whose recall is being sought inserted in the blank space.

SECTION 7. Result of Election

If a majority of the ballots cast at the election favor the recall of any official, such recall and the removal of said person from office shall take effect immediately upon the recording of the results of the election.

SECTION 8. Vacancies to be filled

Any vacancy resulting from the removal from office under this ordinance shall be filled in accordance with the applicable provisions of 30-A M.R.S.A. ss 2602.