CITY OF LAUREL, MARYLAND

CHARTER RESOLUTION NO. 181

A CHARTER RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND AMENDING, REARRANGING AND RENUMBERING ARTICLE 600 "REGISTRATIONS AND ELECTIONS", SECTION 601- "VOTERS AND REGISTRATION"; SECTION 602- "ELECTION OF MAYOR AND COUNCILMEMBERS"; SECTION 603 "WARD BOUNDARIES"; SECTION 604- "POLLING PLACES"; SECTION 605- "VOTING PROCEDURES"; SECTION 606- "SAME DAY REGISTRATION"; SECTION 607 "VOTE-BY-MAIL-BALLOTS"; SECTION 608- "ELECTIONEERING"; SECTION 609 "ELECTION EQUIPMENT AND SAMPLE BALLOTS"; SECTION 610- COMPLIANCE WITH ELIGIBILITY REQUIREMENTS, ATTENDANCE, RECALL, DISQUALIFICATION AND SUSPENSION OF ELECTED OFFICIALS"; SECTION 611- "RECALL OF ELECTED OFFICIAL"; SECTION 612- "GROUNDS FOR RECALL OF ELECTED OFFICIAL"; SECTION 613- "SUSPENSION OF ELECTED OFFICIALS"; SECTION 614- "REFERENDA"; SECTION 615- "ADVISORY REFERENDA"; SECTION 616- ADOPTION AND INCORPORATION OF STATE LAW PROVISIONS"; SECTION 617- EXTRAORDINARY POWERS- CIVIL EMERGENCY".

Sponsored by the President at the request of the Administration.

WHEREAS, the Mayor and City Council of Laurel, Maryland adopted Charter Resolution No. 172 on January 11, 2021 that repealed and replaced Article 600 "Registrations and Elections", in its entirety; and

WHEREAS, the Board of Election Supervisors completed a comprehensive review of the City of Laurel Election laws and proposed amendments including rearranging sections, renumbering sections, and substantive changes to sections of Article 600 and; and

WHEREAS, the Board of Election Supervisors drafted the proposed amendments and forwarded them along with a recommendation to the Mayor and City Council dated December 31, 2024; and

WHEREAS, the Mayor and City Council agree with the amendments as proposed by the Board of Election Supervisors; and

ARTICLE 600. - REGISTRATION AND ELECTIONS

Sec. 601. - Voters and ꜰRegistration.

All voters shall register in accordance with the laws, rules, and regulations of Prince George's County, Maryland and the State of Maryland. Every person who is registered with the Prince George's County Board of Elections and who is a resident of the City of Laurel shall be entitled to vote in all ~~c~~**C**ity elections.

Sec. 602. - Election of ~~m~~**M**ayor and ~~c~~**C**ouncilmembers.

(a)~~The City shall be governed by a duly qualified and elected Mayor and five (5) duly qualified and elected Councilmembers, all of whom shall be elected by voters. No persons shall be eligible to hold office as Mayor or Councilmembers except those who, upon the day of election, shall be citizens of the United States, registered voters and residents of Laurel, and, in the case of candidates for either ward, a resident of the ward for which seek election.~~

(**a**~~b~~)Election of the Mayor and Councilmembers shall occur at a general election which shall be held on the first Tuesday of the month of November 2019, and on the same date every two (2) years thereafter for all five (5) ~~c~~**C**ouncilmembers and every four (4) years thereafter for the ~~o~~**O**ffice of Mayor. Of the five (5) ~~c~~**C**ouncilmembers, there shall be two (2) ~~c~~**C**ouncilmembers elected from each of the two (2) wards, and one (1) ~~c~~**C**ouncilmember who shall be elected from the City as an at-large member of the City Council. Other than the ~~c~~**C**ouncilmember elected to the office of at-large ~~c~~**C**ouncilmember, ~~c~~**C**ouncilmembers seeking office in either of the two (2) wards shall at all times be domiciled in and a resident of the respective ward for which the ~~c~~**C**ouncilmembers shall seek or hold office. All registered voters may cast votes for the ~~o~~**O**ffice of Mayor and ~~c~~**C**ouncilmember at-large. Only registered voters residing in one (1) of the two (2) wards may vote for candidates seeking the office of ~~c~~**C**ouncilmember for the ward in which the voter resides.

(**b**~~c~~)The elected Mayor and members of the City Council shall be sworn in at the second regular meeting of the City Council following any election.

(**c**~~d~~)The Mayor and Councilmembers shall, throughout the entirety of their respective terms of office and any extension thereof, comply with all qualifications necessary for candidacy, including residency requirements and prohibitions on conflict of interest. Failure of any public official to maintain and retain all qualifications for candidacy of office shall cause a forfeiture of their respective offices.

Sec. 603. - Ward ~~b~~**B**oundaries.

(a) The said City of Laurel shall be, for election purposes, divided into two (2) wards as follows:

Ward No. 1. The first ward shall embrace all of the **C**~~c~~ity lying northerly of the following boundary: Eastbound along Maryland Route 198 (Gorman Avenue) from its intersection with the westerly most boundary of the **C**~~c~~ity to its intersection with Van Dusen Road; thence southerly along Van Dusen Road to its intersection with Crow's Branch; thence easterly along Crow's Branch to its intersection with Harrison Drive; thence northeasterly along Harrison Drive to its

intersection with White Way; thence northwesterly 52.09± feet to the northwest property line of Lot 49 (AKA 1047 Harrison Dr.), Block "J," Fairlawn Subdivision; thence northeasterly 95.86± feet along the northwest property line of Lot 49; thence 8.3± feet along the northwest property line of Lot 48; thence northeasterly 1,314.348± feet along the rear property lines of Lots 48 through 27 (AKA 1003 Harrison Dr.), Block "J," Fairlawn Subdivision; thence southeasterly 114.2± feet along the northeast property line of Lot 27 to Harrison Drive; thence easterly along Montrose Avenue to its intersection with Eight Street; thence northeasterly along Eight Street to its intersection with Crow's Branch; thence easterly along Crows Branch to its intersection with Washington Boulevard (U.S. Route 1, Southbound); thence southerly along the aforesaid Washington Boulevard (Baltimore/Washington Boulevard) to its intersection with Cherry Lane; thence running with the existing ~~c~~**C**ity boundary to the easterly most boundary of the ~~c~~**C**ity at the Prince George's County-Anne Arundel boundary line.

Ward No. 2. The second ward shall embrace all of the ~~c~~**C**ity lying southerly of the boundary line of Ward No. 1.

(b) The ~~c~~**C**ity ~~c~~**C**ouncil shall, not less than once after the publication of each decennial census of the population of the United States, evaluate the wards of the ~~c~~**C**ity to ensure that the representation is reasonably equal, and shall have the power to change boundaries thereof. The effective date of any change of boundaries shall be determined by the ~~c~~**C**ity ~~c~~**C**ouncil.

Sec. 604. - Polling ~~p~~**P**laces.

There shall be no less than one polling place in each of the City's two wards. In the event that the Mayor and City Council shall determine that for the convenience of the public, because of necessity, emergent circumstances, or to comply with any regulations, ordinances, laws, or other statutes, that it is advisable or necessary to designate additional or alternate polling places in either or both wards, then they may by resolution provide for additional polling places. In such event the Mayor and City Council shall identify the geographic boundaries of any additional polling place, as applicable. The Mayor shall appoint such additional judges of the election as may be necessary.

Sec. 605. - Voting ~~p~~**P**rocedures.

(a) *Voting in Elections—Types.* The City shall permit ~~qualified~~ voters to cast ballots in Elections for public office, on any question, proposition, for recall, referenda, or in any special election using procedures and processes set forth in the Charter and this Chapter under procedures promulgated by the Board.

(b) *Voting Places, Procedures, and Hours.*

(1) *Election Day.* Voting in Elections at designated polling places shall occur on Election Days beginning at 7:00 a.m. and shall continue until 8:00 p.m. of the same, except that the Board shall permit any ~~qualified~~ voter who shall be in line to vote at a polling place at 8:00 p.m. on Election Day.

(2) *Early Voting.*

(A)**(a)** The City Council or Board may provide for one or more early voting days in any election. Early voting for any election whether for public office or for any ballot question, proposition, or referenda submitted to ~~qualified~~ voters shall be scheduled on dates and times established by resolution of the Mayor and City Council, with voting to be held at the **Joseph R. Robison** Laurel ~~City~~ Municipal Center and any other location determined in the resolution. Resolutions permitting early voting shall be adopted by the Mayor and City Council not later than May 31 in any year of a general election or less than sixty (60) days prior to any special election.

(B)**(b)** No Early Voting Day shall be held more than fifteen (15) days prior to the Election Day.

(C) **(c)** Polls shall be open~~ed~~ to ~~qualified~~ voters on designated early voting days at such times and places as may be designated by the Board. Polls shall be open for a minimum of eight (8) hours per day if early voting shall be conducted on a Saturday and at least four (4) hours if early voting is to be conducted on any other day of the week.

~~Sec. 606. - Same day registration.~~

~~•The City of Laurel Board of Election Supervisor shall allow for Same Day Registration for residents that live in the City of Laurel Corporate Boundaries. Those wishing to exercise their right to Same Day Registration for City Elections shall adhere to the following: (1) bringing a document showing proof of residency, Maryland driver's license, identification card with your current address, paycheck stub, bank statement, utility bill.•Once the Chief Election Judge determines you are a resident of the City and qualified to register, you will be permitted to vote in the election.~~

Sec. 606- Vote by Mail

(3) *~~Absentee Ballots.~~*

(A) **(a)** Any ~~qualified~~ voter of the City may vote ~~as~~ **by mail** ~~an absentee voter~~ in any election.

(B) **(b)** The ~~b~~**B**oard shall be responsible for preparing and making available such forms for ~~absentee~~ **Vote by Mail** ballots as the Board deems necessary to permit voters to cast a~~n absentee~~ **Vote by Mail** ballot, including applications, affidavits, appointments of duly authorized agents and envelopes, to ensure the integrity and confidentiality of the ~~absentee~~ **Vote by Mail** ballot.

(C) **(c)** A ~~qualified~~ voter shall submit an application to the Board for a~~n absentee~~ **Vote by Mail** voting ballot. The application shall be made in writing and signed by the ~~applicant~~, **voter** or, if the ~~applicant~~ **voter** is unable to sign the application, shall bear the mark of the ~~applicant~~ **voter** and the signature of two (2) competent witnesses.

(d) Applications for ~~absentee~~ **Vote by Mail** ballots ~~must~~ **shall** be presented to the Board not later than ~~5:00~~ **12:00** p.m. on the ~~day~~ **Tuesday that is seven (7)**

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days before any Election, ~~excluding Saturdays, Sundays, or legal holidays~~. Applications may be submitted by mail or delivered in person by the voter or the ~~applicant's~~ **voter's** duly authorized agent **or by any other manner as may be approved by the Board of Election Supervisors.** A voter may designate a duly authorized agent by any signed writing to ~~the~~**that** effect or if the ~~applicant~~ **voter** is unable to sign the designation, then the application shall bear the ~~applicant's~~ **voter's** mark and the signature of two (2) witnesses.

(e) A person who appears at the Joseph R. Robison Laurel Municipal Center by 12:00 pm the day before Election Day and who produces a government issued photo ID reflecting their name and address and who is a registered voter who has not previously been issued a Vote by Mail ballot for the same election, will be given a Vote by Mail ballot.

~~(D)~~ **(f)** The Board shall review the application for ~~absentee~~ **Vote by Mail** ballot and shall reject any application if:

    (i) The application is not filed before the applicable deadline;

    (ii) The application is missing any of the information required by the Board as set forth in the application form;

    (iii) The applicant is not eligible to vote;

    (iv) The ~~Board~~ **voter** ~~had~~ **has already been** ~~previously~~ ~~received a request for an application~~ **approved** for ~~an~~ ~~absentee~~ **Vote by Mail** ballot**.** ~~from the applicant;~~

    (v) The applicant ha~~d~~**s** already cast a ballot on an early voting day.

~~(E)~~ **(g)** The Board shall issue ~~an~~ ~~absentee~~ **Vote by Mail** ballot unless the Board in its discretion is unanimous in its decision to reject the application. In the even**t** that an application is rejected by the Board, the Board shall forthwith notify the applicant that the application was rejected.

~~(F)~~ **(h)** Voters who have applied for, received, and thereafter submitted a~~n~~ ~~absentee~~ **Vote by Mail** ballot to the Board may not cast a ballot at any polling place.

~~(G)~~ (**i**) Other than as described in subsection ~~(3)(C)~~ **(c)** of this subsection, no person submitting a~~n~~ ~~absentee~~ **Vote by Mail** ballot may cast a vote using a~~n~~ ~~absentee~~ **Vote by Mail** ballot issued by the Board to another person.

~~(H)~~ **(j)** The Board shall not open or unfold any ~~absentee~~ **Vote by Mail** ballot received at any time prior to the closing of the polls on Election Day and then only at the commencement of the canva**s**s of the election. ~~Absentee~~ **Vote by Mail** ballot applications and ~~absentee~~ **Vote by Mail** ballots returned shall be separated from all other ballot types and election materials.

~~(I)~~ **(k)** The canvass of the ~~absentee~~ **Vote by Mail** ballots shall be conducted by ward**.** ~~in accordance with the applicable provisions of Section 602 of the Charter.~~

(J) (**l)** Prior to opening any ~~absentee~~ **Vote by Mail** ballot, the Board shall inspect the ballot to determine whether the forms have been completed, including the oath or affirmation; that the voter is entitled to vote; and that the voter had not already cast a ballot in the election.

(K) **(m)** In the event that **the** Board concludes that the ~~absentee~~ **Vote by Mail** ballot envelope satisfies all of the criteria set forth in subsection (J) **(l~~L~~)** above, the Board shall open the ballot envelope and separate the envelope from the ballot.

(L) **(n)** The Board may only reject a~~n~~ ~~absentee~~ **Vote by Mail** ballot upon a unanimous vote of the entire Board if:

(i) The ballot was not received by the Board prior to the closing of the polls on Election Day;

(ii) The voter's oath was not sufficiently executed;

(iii) There is more than one ballot in the ballot envelope;

(iv) The ballot was not cast by a person eligible to vote;

(v) The voter has voted at the polls prior to the review of the ~~absentee~~ **Vote by Mail** ballot;

(vi) The ballot contained votes for candidates in excess of the maximum number of votes permissible in a given race, in which event only the race for which there is an over vote shall be excluded;

(vii) The ballot contains extraneous marks which does not permit the Board to clearly determine the voter's intent for that race;

(viii) The Board has received multiple ~~absentee~~ **Vote by Mail** ballots on behalf of the voter, in which event only the earliest ~~absentee~~ **Vote by Mail** ballot received shall be counted.

Sec. 607- Write-In Ballots

(d) *Write-In Ballots.* In all elections, a ~~registered and qualified~~ voter may cast a ballot by writing in the name of a candidate for public office, and said ballot shall be counted, provided that the ballot clearly and legibly identifies a candidate who meets **and has satisfied** all of the qualifications for public office.

Sec. 608- Provisional Ballots

(e) *Provisional Ballots.*

(**a**1) An individual is eligible to cast a provisional a ballot if:

(A) (**1a)** The individual declares in written affirmation under oath submitted with the submission of the provisional ballot that the individual is a registered voter in

Prince George's County, Maryland and the City of Laurel and is eligible to vote in the election; and

(B) **(b2)** The individual's name does not appear on the City's election register or list of voters; ~~or~~

 (c3) an election official asserts that the individual is not eligible to vote**; or**

(d4) the individual does not have the necessary identification.

(**b**2) Application for Provisional Ballot.

(A)**(1a)** Before an individual may cast a provisional ballot, the individual shall:

> (i) Complete and sign the provisional ballot application approved by the Board; and

> **(ii) Provide a copy of a current and valid Maryland driver's license or MVA ID card, student, employee, or military ID, U.S. passport; and**

> **(iii) A copy of a current utility bill, bank statement, government check, paycheck, or other government document with the voter's name and current address (the same address shall be written on the provisional ballot application). Current shall mean that the document is dated within three (3) months of the election.**

> **(iv) an individual who does not have the necessary identification required under this subsection shall be required to sign an acknowledgement that in order for their provisional ballot to count, they must submit the required identification to the City of Laurel Board of Election Supervisors not later than 4pm on the first Thursday after election day.**

> ~~(ii)~~ **(iv)** ~~Be given a data sheet setting forth the process by which the individual may obtain information on whether the provisional ballot was counted or not and the reasons, therefore.~~

(**c**3) Procedure.

(A) **(1a)** An **individual who is eligible under subsection (a1) of this section** ~~eligible voter~~ who completes an application for a provisional ballot shall be issued and may submit a provisional ballot at a polling place on Election Day or any location and date designated for early voting.

(B)**(2b)** When submitted, a provisional ballot shall either be placed in a sealed envelope and secured in a locked box designated exclusively for provisional ballots, or otherwise stored in an electronic format, all at the direction of the Board.

(3c) Be given a data sheet setting forth the process by which the individual may obtain information on whether the provisional ballot was counted or not and the reasons therefore.

(**d**4) Canvass of Provisional Ballots.

(A) **(1**a**)** The Board shall adopt regulations regarding the handling and canvassing of provisional ballots.

(B)**(2**b**)** Envelopes containing provisional ballots shall not be opened until the Board has approved the provisional ballot application applicable to that ballot.

(C) **(3**c**)** The Board may not reject a provisional ballot except upon a unanimous vote.

(D)**(4**d**)** The Board shall reject a provisional ballot if:

(i) The individual is not qualified to vote in a City election;

(ii) The individual failed to sign the oath or affirmation on the provisional ballot application;

(iii) The individual cast more than one (1) ballot in the same election;

(iv) The provisional ballot is marked by an identifying mark that is clearly evident and which can be used to establish the identity of the individual submitting the provisional ballot.

(v) The Board shall establish a system that permits individuals who have submitted provisional ballots to determine whether the provisional ballot was accepted and counted.

Sec. 6069. - Same Dday Rregistration.

 (aA**)**The City of Laurel Board of Election Supervisor**s** shall allow for Same Day Registration for residents that live in the City of Laurel Corporate Boundaries. Those wishing to exercise their right to Same Day Registration for City Elections shall adhere to the following: (1) bringing a document showing proof of residency, Maryland driver's license, identification card with your current address, paycheck stub, bank statement, utility bill.

(1) Provide a copy of a current and valid Maryland driver's license or MVA ID card, student, employee, or military ID, U.S. passport; and

(2) A copy of a current utility bill, bank statement, government check, paycheck, or other government document with the voter's name and current address (the same address shall be written on the voter registration application). Current shall mean that the document is dated within three (3) months of the election.

(3) Once the Chief Election Judge determines ~~you~~ **that the voter is** ~~are~~ a resident of the City**,** ~~and~~ qualified to register**, and is at the correct polling location**, ~~you~~ **the voter** will be permitted to vote in the election **using a provisional ballot**.

(4) In the event that the voter is not at the correct polling location, the Chief Election Judge will provide the voter with directions including the address and a map indicating the proper polling location and direct the voter to the proper polling location to complete the proper provisional ballot.

~~Sec. 607. - Vote-by-mail ballots.~~

~~**(a)** Any person qualified to vote in any election may use a Vote-by-Mail ballot pursuant to the provisions of this article.~~

~~**(b)** The Board of Elections Supervisors is authorized and permitted by this section, to allow for a Vote by Mail in City of Laurel elections.~~

~~**(c)** These procedures will be established by the Board of Election Supervisors.~~

~~**(d)** No Vote-by-Mail ballot, completed or otherwise, shall be handled or delivered by a candidate or any individual volunteering or working for a candidate, except for their own ballot or that of their immediate family member or a member of their household.~~

Sec. 6~~08~~**10**. - Electioneering.

(a) *General Conduct of Election Day Activities.* The Board shall be responsible for and have authority to control all activities conducted in connection with elections.

(b) *Authority of Election Judges.* At each polling place, each of the duly appointed election judges shall be vested with authority to keep and maintain the peace. In addition, the election judges shall have the authority to cause any person to be arrested for: any breach of the peace; any breach of election laws of the City; for interference with the progress of an election, the canvass of the ballots, or the ascertainment and transcription of the votes recorded on voting machines or ballots cast. **The election judges shall have the authority to request and direct officers of the Laurel City Police Department or any state or federal law enforcement agency, as needed, to assist in the enforcement of the election laws of the City.**

Sec. 6~~09~~**11** - Election ~~e~~**E**quipment and ~~s~~**S**ample ~~b~~**B**allots.

(a) The Board shall be responsible for the selection and procurement of all voting equipment, forms, ballot styles, and all other material necessary for the conduct of elections. The Board shall be responsible for preparing and publishing an official sample ballot not less than eight (8) days before Election Day. The official sample ballot shall be published in a newspaper published in the City. In addition, the Board shall ensure that sample ballots shall be posted in several locations in each of the polling places.

(b) The City shall be responsible for all costs and expenses associated with the conduct of City elections from monies budgeted in the City's operating budget.

Sec. 6~~10~~12 - Compliance with ~~e~~Eligibility ~~r~~Requirements, ~~a~~Attendance, ~~r~~Recall, ~~d~~Disqualification and ~~s~~Suspension of ~~e~~Elected ~~o~~Officials.

(a) *Eligibility.*

(1) The Mayor and all Councilmembers shall retain and maintain throughout their respective terms of office all the qualifications necessary for their election, and their failure to retain and maintain all such qualifications shall ipso facto cause a forfeiture of their respective offices.

(2) Conflicts of Interest. Neither the Mayor nor any ~~of~~ Councilmember shall hold any other office with the City during their respective terms of office, neither shall they, directly or indirectly through the medium or agency of other persons, enter into any contract(s) with the City.

(b) *Attendance Required.*

(1) The Mayor and/or any Councilmember(s) may be removed from office as a result of extended absenteeism, which is defined as missing in excess of fifty (50) percent of each of the City Council's regular and special legislative meetings ~~and meetings of the committee(s) of the whole~~ in any calendar year. The Mayor, acting independently, or three (3) Councilmembers shall have the authority to convene a public hearing on the issue of the extended absenteeism by the Mayor and/or any Councilmember.

(2) After a public hearing on the issue of the extended absenteeism of the Mayor and/or any Councilmember(s)~~pursuant to Section 608~~ the Mayor and/or Councilmember may be removed from office as a result of such extended absenteeism by an affirmative vote of two-thirds (⅔) of the voting members ~~of~~ comprised of the Mayor and ~~c~~**C**ouncilmembers.

Sec. 6~~11~~13 - Recall of ~~e~~Elected ~~o~~Official.

(1) The ~~m~~**M**ayor or a~~n~~ **At-Large** ~~c~~**C**ity ~~c~~**C**ouncilmember may be recalled and removed from office in accordance with the following procedure:

(a) A petition signed by at least twenty (20) percent of the registered ~~and qualified~~ voters of the ~~c~~**C**ity must be presented to the ~~m~~**M**ayor and ~~c~~**C**ity ~~c~~**C**ouncil at a regular ~~c~~**C**ity ~~c~~**C**ouncil meeting **confirming the request** ~~stating a desire~~ to have the named elected official subjected to a ~~reaffirmation~~ **recall** by a vote of the ~~qualified~~ **C**~~c~~ity electorate. A petition shall contain the name of only one elected ~~c~~**C**ity ~~o~~**O**fficial. The ~~qualified~~registered voters signing such petition shall sign the same as their names appear on the ~~city's~~ **Prince George's County Voter Registration List for the City** ~~election records~~ and under each signature shall be typed or printed each ~~petitioner's~~**registered voter's** name, current address and approximate length of residence in the ~~c~~**C**ity. At the bottom of each page of

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the petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that he or she circulated the petition and saw each individual whose name appears thereon sign the same in his or her presence.

(b) The petition shall state specifically the justification for recall of the m**M**ayor or, as the case may be, a**n At-Large City** c**C**ouncilmember, for one or more of the reasons set forth in section 61**4**3.

(b) The petition shall state specifically the justification for recall of the Councilmember, for one or more of the reasons set forth in section 61**4**3.

(c) Upon receipt of a petition, the m**M**ayor and c**C**ouncil shall forthwith refer the petition to the b**B**oard of e**E**lection s**S**upervisors for the c**C**ity for verification of the appropriate number of qualifiedregistered voters' signatures and addresses. The b**B**oard of e**E**lection s**S**upervisors shall return such petition with its written findings as to required voters' signatures and addresses by certification to the m**M**ayor and c**C**ouncil at its next regular meeting; and at that meeting, if the petition is authenticated and certified by the b**B**oard, the m**M**ayor and c**C**ity c**C**ouncil shall announce that: (1) w**W**ithin thirty (30) days from that c**C**ity c**C**ouncil meeting, a public hearing will be held on the petition, and that (2) within forty-five (45) days from the c**C**ity c**C**ouncil meeting at which the certification of the b**B**oard of e**E**lection s**S**upervisors was received, a special election shall be held in order to allow all qualifiedregistered voters of the c**C**ity to vote on the petition **for recall**.

(d) The voting ballot will contain the official's name and the choice of "reaffirm" or "remove." In order for the official to be removed, a majority of those voting must vote "remove."

(e) The voting shall be conducted in the same manner as prescribed herein for general c**C**ity elections; and, if removal results, the vacancy will be filled as provided in S**s**ection 319 for a c**C**ouncilmember or s**S**ection 356 for the m**M**ayor.

(2) Recall of Ward-Elected City Councilmember

A City Councilmember that was elected to serve one of the two City voting wards may be recalled and removed from office in accordance with the following procedure:

(a) A petition signed by at least twenty (20) percent of the registered and qualified **voters of the Ward that the Councilmember was elected to represent must be presented to the Mayor and City Council at a regular City Council meeting confirming the request to have the named elected official subjected to a recall by a vote of the City electorate. A petition shall contain the name of only one elected City Official. The registered voters signing such petition shall sign the same as their names appear on the Prince George's County Voter Registration List for the City and under each signature shall be typed or printed each registered voter's name, current address and approximate length of residence in the City. At the bottom of each page of the petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that he or she**

circulated the petition and saw each individual whose name appears thereon sign the same in his or her presence.

(b) The petition shall state specifically the justification for recall of the Councilmember, for one or more of the reasons set forth in section 614.

(c) Upon receipt of a petition, the Mayor and Council shall forthwith refer the petition to the Board of Election Supervisors for the City for verification of the appropriate number of registered voters' signatures and addresses. The Board of Election Supervisors shall return such petition with its written findings as to required voters' signatures and addresses by certification to the Mayor and Council at its next regular meeting; and at that meeting, if the petition is authenticated and certified by the Board, the Mayor and City Council shall announce that: (1) within thirty (30) days from that City Council meeting, a public hearing will be held on the petition, and that (2) within forty-five (45) days from the City Council meeting at which the certification of the Board of Election Supervisors was received, a special election shall be held in order to allow all registered voters of the City to vote on the petition for recall.

(d) The voting ballot will contain the official's name and the choice of "reaffirm" or "remove." In order for the official to be removed, a majority of those voting must vote "remove."

(e) The voting shall be conducted in the same manner as prescribed herein for general City elections; and, if removal results, the vacancy will be filled as provided in Section 319 for a Councilmember.

Sec. 6~~12~~14 - Grounds for ~~r~~Recall of ~~e~~Elected ~~o~~Official.

The justification for ~~the~~recall of the ~~m~~**M**ayor or a ~~c~~**C**ouncilmember shall only be for one or more of the following:

(a) Failure to uphold the oath of office;

(b) Conviction of a criminal offense of ~~a~~ felony category **and/or a crime of moral turpitude;**

(c) Engaging in illegal conduct involving moral turpitude, fraud, deceit or intentional material misrepresentation;

(d) Engaging in conduct involving mismanagement or misappropriation of public funds, a gross abuse of public authority, **misconduct in office,** or a substantial and specific danger to public health, safety or welfare;

(e) The coercion of any ~~c~~**C**ity employee into taking an illegal or improper action or taking any retaliatory action against any ~~c~~**C**ity employee because of that employee's disclosure of information relating to illegal and improper action in ~~c~~**C**ity government;

(f) The inability to properly perform public duties due to a permanent or chronic physical or mental ailment or other incapacitating defect;

(g) Gross negligence or incompetence in the performance of public duties;

(h) Engaging in personal conduct injurious to the reputation and well-being of the government of the~~is~~ **C**~~c~~ity and its citizens; or

(i) Failing or refusing to perform, or acting contrary to, an official duty or obligation imposed by the Charter or duly enacted law or ordinance.

Sec. 6~~13~~**15**. - Suspension of ~~e~~**E**lected ~~o~~**O**fficials.

Any elected official found guilty of any crime which is a felony; or which is related to his or her public duties, shall be immediately suspended. In the event that the verdict or conviction of guilt is ~~affirmed~~ **entered by any tribunal having jurisdiction over the elected official,** ~~then~~the elected official shall be removed from office. In the event that a plea of **not** guilty **has been entered and is at any later time** ~~is~~vacated, reversed, or otherwise stricken the elected official shall be removed from office. In the event that a plea of guilty **has been entered and is at any later time** ~~is~~ vacated, rever**s**ed, or otherwise stricken, the elected official shall be reinstated for the balance of the term, if any, with all compensation and benefits restored.

Sec. 6~~14~~**16**. - Referenda.

(a) The citizens of the City shall have the right to petition to referendum any ordinance adopted by the City, pursuant to the procedures set forth in this section, except that ~~no~~ **an** ordinance **shall not be subject to referendum if said ordinance**~~that~~:

(1) Imposes any tax or its equivalent;

(2) Appropr~~o~~**i**ates funds for current expenses of the City;

(3) Establishes or revises **boundaries for** wards **determined and used** for election purposes;

(4) Amends a zoning map; or

(5)~~Which~~ **E**expressly provides that the ordinance shall **not** be subject to a referendum.

(b) Upon the adoption of the capital improvement program, any new project not previously contained in the capital improvement program, and any additions constituting an enlargement of a project shall be subject to referendum, pursuant to the procedures contained in this section. Once a project has been approved by referendum, that portion of a subsequent enabling act or bond issue authorization ordinance relating to the project shall not be subject ~~ot~~ **to** referendum, and if a bond enabling ordinance including the ~~porject~~ **project** and

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identifying it is approved by referendum, that portion of any subsequent bond issue authorization ordinance relating to the project shall not be subject to referendum.

(c) Expect as provided herein, an ordinance shall be submitted to a referendum of the voters upon petition of twenty (20) percent of the **eligible registered** ~~qualified~~ voters of the City. Such petition shall be filed with the ~~baord~~ **Board** of ~~e~~**E**lection ~~s~~**S**upervisors of the City of Laurel within thirty (30) calendar days from the date the ordinance becomes law. If such a petition is filed, the ~~ordinance~~ **ordinance** to be referred shall not take effect until thirty (30) calendar days after its approval by a majority of the ~~qualified~~ **eligible** voters of the ~~e~~**C**ity voting thereon at the next ensuing regular ~~e~~**C**ity election, or any special election for that purpose**.** ~~T~~**T**~~t~~he determination of whether a special election will be held **shall** ~~to~~be at the discretion of the ~~e~~**C**ity ~~e~~**C**ouncil.

(d) An emergency ordinance shall remain in force from the date it becomes effective according to its terms, notwithstanding the filing of ~~such~~ **a** petition **for referendum**, but shall stand repealed thirty (30) calendar days after having been rejected by a majority of the ~~qualified~~voters of the ~~e~~**C**ity voting thereon.

(e) A petition for referendum may consist of several papers, but each paper shall contain the text or a fair summary of the ordinance being petitioned upon; and there shall be attached to each such paper an affidavit of the person procuring the signatures thereon **attesting on the basis of personal knowledge,** that ~~to the said person's own personal knowledge~~eeach signature thereon is genuine and bona fide, and that, to the best of ~~his~~**the affiant's** ~~or her~~ knowledge, information, and belief, the signers are ~~qualified~~ **registered** voters of the City of Laurel, ~~as set opposite their names.~~ A minor variation ~~in the signature of a petitioner~~ between~~his or her signature~~ **a petitioner's name** on a petition and that **contained ~~o~~in** the voter registration records shall not invalidate the signature. The invalidation of one signature on a referendum petition shall not serve to invalidate any other signature on the petition.

(f) Each petitioner shall include ~~his or her~~**their** address and the date of ~~his or her~~ **their** signature opposite ~~his or her~~ **their** printed or typed name. The ~~b~~**B**oard of ~~e~~**E**lection ~~s~~**S**upervisors shall verify the qualification of said petitioners.

Sec. 6~~15~~**17**. - Advisory ~~r~~**R**eferenda.

(a) The Mayor and City Council, by resolution, may direct that an advisory referendum of **the** voters be undertaken on questions set forth in said resolution. Any questions put to referenda shall be placed on the ballot at the next general election. The results of such referenda shall not be binding on the City in any way, but shall be for advisory purposes, only. Any resolution of the Mayor and the City Council shall be adopted at least sixty (60) days prior to the next general election in order to allow adequate time for the question to be placed on the ballot.

(b) Upon passage of a resolution by the Mayor and City Council, the Board shall place all questions contained in the resolution on the official ballot and provide for the posting and dissemination of the ballot questions in suitable places and on all voting machines. The Board shall certify the results of the referenda on all

questions appearing on the ballot in the same manner provided for certification of election results.

Sec. 6~~16~~18. - Adoption and ~~i~~Incorporation of ~~s~~State ~~l~~Law ~~p~~Provisions.

Unless otherwise specifically set forth to the contrary in the Charter or Code, the Charter shall be read and construed to incorporate, adopt, and enact the provisions of Title 16, "Offenses and Penalties" of the Election Article of the Annotated Code of Maryland, **in its current version or as later amended,** as the same apply to any illegal conduct committed in connection with or during the course of an election, or as a result of any illegal interference with election procedures and processes.

Sec. 6~~17~~19. - Extraordinary ~~p~~Powers—Civil ~~e~~Emergency.

In the case of a declared civil emergency or other civil disaster where any date contained in this Article or Chapter 600 of the Code cannot be met because of such civil emergency or civil disaster, the Board shall establish such reasonable dates and accommodations for compliance with any filing deadlines, submission of reports, or any other deadline that may apply to a required filing or submission required herein. The Board may also change the designated Election Day based on a civil emergency or civil disaster. In no event shall the rescheduled date for any postponed election be sooner than thirty (30) days from the date of the declared end of the civil emergency or civil disaster. During any postponement of elections, public officials shall remain in office unless and until their successors are duly qualified and elected.

NOW, THEREFORE, BE IT RESOLVED that the City of Laurel's Charter Article 600 "Registrations and Elections", is hereby amended as follows:

AND, BE IT FURTHER RESOLVED, that the date of adoption of this Charter Resolution is the _____ day of _____, 2025, and that the amendment to the Charter of the City as herein adopted, shall be and become effective on the _____ day of _____, 2025 unless on or before the _____ day of _____, 2025, a Petition for Referendum on this Charter Resolution is filed in writing with the Mayor or City Administrator, pursuant to the provision of Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland.

AND, BE IT FURTHER RESOLVED, that this Resolution shall become effective on the _____ day of _____, 2025.

PASSED this _____ day of _____, 2025.

_____
SARA A. GREEN, CPM, CMC
Clerk to the City Council

_____
KYLA M. CLARK
President of the City Council

APPROVED this _____ day of _____, 2025.

_____
KEITH R. SYDNOR
Mayor