

## **RECALL OF ELECTED MUNICIPAL OFFICERS OF THE TOWN OF CRANBERRY ISLES, MAINE**

### **SECTION 1. ESTABLISHMENT**

Under MRSA Title 30-A § 2602 (6) amended Oct. 13, 1993, a town may enact an ordinance for the recall and removal of elected municipal officials with the exception of school board members.

### **SECTION 2. APPLICABILITY**

Any elected Selectman, Town Treasurer, Town Clerk, or Municipal Facilities Commission member of the Town of Cranberry Isles, Maine 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 Cranberry Isles, equal to ten percent (10%) of the number of votes cast in the last Gubernatorial election but in all cases no less than ten.

B. The petition shall be addressed to those members of the Board of Selectmen not being the subject of the present recall petition.

C. The petition shall state the name and office of the person whose removal is being sought, and a general statement of the reasons such removal is desired.

D. If recall of more than one official is being sought there shall be a 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.

### **SECTION 4. CLERK'S 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 qualifications as set forth in section 3 of this ordinance. Should the petition be found insufficient, the petition will be filed in the Clerk's office and the voter who filed the petition will be notified.

### **SECTION 5. CALLING 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 to the Board of Selectmen at the next regular meeting and shall notify 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 time of receipt order an election by secret ballot, pursuant to MRSA 30-A §2528, to be held not less than 30 nor more than 60 days thereafter, provided that a regular municipal election will not be held within 90 days of receipt of the certified petition, in this case the Selectmen may at their discretion provide for the holding of the recall election on the date of the regular municipal election.

C. In the event that the 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.

#### SECTION 6. BALLOTS FOR RECALL ELECTION

Unless the official or officials whose removal is being sought have resigned within ten 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. These ballots will then be used at the special or regular Town Meeting called by the Selectmen to address the recall.

#### SECTION 7. RESULT OF ELECTION

A 2/3 majority affirmative vote is required for recall. The vote shall take effect as of the recording of the vote tabulation into the records.

#### SECTION 8. VACANCIES TO BE FILLED

Any vacancy resulting from the removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes. The Board of Selectmen shall convene a Special Town Meeting within 60 days of a vacancy by recall for the purpose of filling the vacancy. Should the vacancy occur within 60 days of an annual Town Meeting, then the vacancy shall be addressed by the voters as part of that annual meeting.

**Enacted October 18, 2005**