

CHAPTER IV

ELECTIONS

Section 4.1 Qualifications Of Electors.

The residents of the city having the qualifications of electors in the State of Michigan shall be electors in the city.

Section 4.2 Procedure.

The election of all city officers shall be on a non-partisan basis. The general election statutes of the State of Michigan shall apply to and control all procedures relating to city elections, including qualification of electors, establishment of precincts, verification of petitions, registration of voters and voting hours. The clerk shall give public notice of each city election in the same manner as is required by law for the giving of public notice of general elections in the state.

Section 4.3 Precincts.

The election precinct of the city shall remain, as it existed on the effective date of this charter unless altered by the elections commission in accordance with the laws of the State of Michigan.

Section 4.4 Date Of Regular City Elections.

A non-partisan regular city election shall be held on the first Tuesday following the first Monday of November of each year.

Section 4.5 Date Of Special Elections.

Special city elections shall be held when called by resolution of the council at least sixty (60) days in advance of such election, or when required by law. Any resolution calling a special election shall set forth the purpose of such election. In no case shall there be more than two (2) special elections in one year.

Section 4.6 Notice.

Notice of the time and place of holding any city election and of the officers to be nominated or elected and the questions to be voted upon shall be given by the clerk as provided in the state election law for the giving of notice by city clerks.

Section 4.7 Voting Hours.

The polls of all elections shall be opened at 7:00 a.m., and closed at 8:00 p.m., subject to the election laws of the State of Michigan for the opening and closing of polls at state elections.

Section 4.8 Nominations – Generally.

The method of nomination for all candidates for city elections shall be by petition. Not less than twenty-five (25) registered electors of the city shall sign such petitions for each candidate. No person shall sign his or her name to a greater number of petitions for any one office than there are persons to be elected to said office at the following regular or special city election. If a qualified and registered elector signs nominating petitions for a greater number of candidates than there are persons to be elected to said office, the signatures, if they bear the same date, shall not be counted upon any petition, and if they bear different dates, shall be counted in the order of their priority of date of filing for only so many candidates as there are persons to be elected. Nomination petitions shall be filed with the clerk up to 4:00 p.m., local time of the first Tuesday following the first Monday in August. The clerk shall publish notice of the last day permitted for filing nomination petitions and of the number of persons to be elected to each office at least one week and not more than three weeks before such last day.

Section 4.9 Nomination – Form Of Petition.

The form of petition shall be substantially as that designated by the Secretary of State for the nomination of non-partisan officers. The clerk shall provide and maintain a supply of official petition forms.

Section 4.10 Nomination – Approval Of Petitions.

The clerk shall accept only nomination petitions which conform with the forms provided and maintained by the clerk, and which, considered together, contain the required number of valid signatures for candidates having those qualifications required for the respective elective city offices by this charter. All candidates shall comply with the filing requirements of MCL 168.558, as amended. The clerk shall, forthwith after filing of a petition, notify in writing any candidate whose petition is then found not to meet the requirements of this section, but the failure to so notify any candidate shall in no way prevent a final determination that the petition does not meet such requirements. Within three (3) business days after the last date of filing petitions, the clerk shall make the final determinations as to the validity and sufficiency of each nomination petition and whether or not the candidate has the qualifications required for his or her respective elective city offices by the charter. The clerk shall write his or her determinations thereof on the face of the petition and shall notify in writing the candidate whose name appears thereon of the determinations. Such notice to any candidate whose petitions are so found

to be invalid or insufficient shall be allowed to file supplementary or replacement petitions before four o'clock in the afternoon on the sixth business day after the last date for filing original petitions. The names of the candidates for the respective elective city offices who file valid and sufficient nomination petitions, shall be certified by the clerk to the election commission, to be placed upon the ballot for the next subsequent regular city election or the next special election for the filling of vacancies in office, as the case may be.

Section 4.11 Nominations – Candidate To Run For Only One Office.

If petitions or filing fees are filed by or on behalf of a candidate for more than one (1) office, either national, state, county, city, village, township, or school district, the terms of which run concurrently or overlap, the candidate so filing, or in behalf of whom petitions or fees were so filed, shall select the one (1) office to which his or her candidacy is restricted within three (3) days after the last day for the filing of petitions or filing fees unless the petitions or filing fees are filed for two (2) offices that are combined or for offices that are not incompatible. Failure to make the selection disqualifies a candidate with respect to any office for which petitions or fees were so filed and the name of the candidate shall not be printed upon the ballot for those offices. A vote cast for that candidate at the primary or general election ensuing shall not be counted and is void.

Section 4.12 Nominations – Withdrawal Of Candidate.

After the filing of a nomination petition by or on behalf of a proposed candidate for a city office, such candidate shall not be permitted to withdraw unless a written notice of withdrawal is served on the city clerk no later than 4:00 o'clock, local time, in the afternoon of the third business day after the last day for filing petitions as in this charter provided, unless the third business day falls on Saturday, Sunday or city holiday, in which case the notice of withdrawal may be served on the clerk up to 4:00 o'clock, local time, in the afternoon on the next regular business day.

Section 4.13 Nominations-Public Inspection Of Petitions.

All nomination petitions filed shall be open to public inspection in the office of the clerk.

Section 4.14 Nominations – Election Commission Created; Composition; Duties; Compensation.

An Election Commission is hereby created, consisting of the clerk of the City of the Village of Douglas, one city official, and one qualified registered elector, both to be appointed by city council not less than forty-five (45) days before each election. The council shall determine compensation, if any, of the members of the Election Commission. The clerk shall be the chairperson and two (2) members of such board shall

constitute a quorum. The commission shall appoint three (3) members to the Board of Election Inspectors for each precinct and have charge of all activities and duties required of it by statute and this charter relating to the conduct of elections in the city. The compensation of the election personnel shall be determined, in advance, by the council. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

Section 4.15 Nominations – Form Of Ballot.

The form, printing and numbering of ballots or the preparation of the voting machines used in any city election shall conform as nearly as may be to that prescribed by statute, except that no party designation or emblem shall appear. In all city elections, the names of qualified candidates for each office shall be listed under a separate heading and shall be rotated systematically in the manner prescribed by the laws of the State of Michigan for rotation of names. If two (2) or more candidates for the same office have the same or similar surnames, the provisions of MCL 168.561(3) as amended shall apply. Except as provided in this section, there shall be no supplementary identification of candidates on the ballot.

Section 4.16 Custody And Safekeeping Of Registration Books And Supplies.

The clerk shall be responsible for the custody and safekeeping of all registration books and supplies. On Election Day, the clerk shall deliver them to the respective Board of Inspectors of Election, taking his or her receipt therefor.

Section 4.17 Absentee Ballots.

The electors of the city shall be entitled to vote by absentee ballots at any city election as provided by law.

Section 4.18 Determination Of Election Ending In A Tie Vote.

If, at any city election, there shall be no choice between candidates by reason of two or more persons having received an equal number of votes, then the Allegan County Board of Canvassers shall name a date within five (5) days after said election for the appearance of such persons for the purpose of determining the election of such candidates by lot as provided by law.

Section 4.19 Recount.

A recount of the votes cast at any city election of any office or upon any proposition may be had in accordance with the laws of the State of Michigan.

Section 4.20 Purity Of Election; Lawful And Unlawful Acts.

All laws of the State of Michigan now in force or hereinafter enacted relating to the purity of elections, and as to what are lawful and what are unlawful acts, shall apply to all elections held under this chapter.

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