
Sec. 3-5. Commissioners; number, election, tenure, qualifications.

- (a) The corporate authority, government, rights, power and prerogatives of Cambridge shall be vested in and exercised by five commissioners, who shall be known as "The Commissioners of Cambridge." The term of office of each commissioner elected at any general election held under this Charter shall be for four (4) years, or until his or her successor takes office; provided, however, that the term of office for each commissioner elected at the 2024 general election shall be for four (4) years and seven (7) months, or until his or her successor takes office. The said commissioners shall be elected by ballot at a municipal election conducted in the City, and every qualified voter shall be entitled to vote for one (1) commissioner; provided, however, that no two (2) commissioners shall reside in the same ward. In order to ~~No one shall~~ be eligible to be elected to the office of commissioner, ~~an individual must meet unless he or she meets~~ the following qualifications:
- (1) He or she shall be a qualified voter and entitled to vote in City elections at the municipal election of said City;
 - (2) As of the date of the election, he or she shall have attained the age of twenty-five (25) years;
 - (3) He or she shall have been a bona fide resident of the City for one (1) year prior to the date of the election; and
 - (4) He or she shall have been a bona fide resident (as established hereinbelow) of his or her ward for a period of at least six (6) months prior to the date of the election.
- (b) ~~To qualify to remain in office, e~~Each commissioner, ~~once -elected, to -office~~ shall remain a bona fide resident of the ward to which he or she was elected for the full duration of his or her term of office. In the event that the residence of a commissioner is damaged, destroyed, sold or the lease to the property is terminated, or the property is undergoing extensive renovation, thereby causing the said commissioner to move from the premises, said commissioner, to maintain his or her status as a bona fide resident of the ward, if unable to immediately move to another residence within the ward, shall have twelve (12) months to relocate to a residence within the ward that he or she represents. If, after being elected, a commissioner moves out of his or her ward due to damage, destruction, extensive renovation, or sale of his or her residence or the lease to his or her residence being terminated, the said commissioner shall provide to the City Manager within ten (10) days after said move the documentation required by (c)(2) below and a sworn statement containing the information required by (c)(1) below as well as the reason(s) for the move and confirming whether the said commissioner intends to reestablish his or her bona fide residency in the ward to which he or she was elected.
- (1) In the event the said commissioner declares that he or she does not intend to reestablish his or her bona fide residency in the ward to which he or she was elected, and/or if the said commissioner has moved outside of the corporate limits of the City, then the said commissioner shall be deemed to have forfeited his or her office, effective immediately, and the vacancy created shall be filled pursuant to Section 3-16 of this Charter.

(2) In the event the said commissioner declares that he or she intends to reestablish his or her bona fide residency in the ward to which he or she was elected, the said commissioner shall do so within twelve (12) months from the date the said commissioner moved out of the said ward.

(i) If the said commissioner reestablishes his or her bona fide residency within the ward to which he or she was elected within twelve (12) months as set forth in (b)(2) above, within ten (10) days of reestablishing his or her residency, the said commissioner shall provide to the City Manager the documentation required by (c)(2) below and a sworn statement containing the information required by (c)(1) below.

(ii) If the said commissioner fails to reestablish his or her bona fide residency within the ward to which he or she was elected within twelve (12) months as set forth in (b)(2) above, then the said commissioner shall be deemed to have forfeited his or her office, effective immediately, and the vacancy created shall be filled pursuant to Section 3-16 of this Charter.

(c) The term "bona fide resident," as used herein, shall mean the principal residence of the commissioners and shall be established by submission of the following documentation to the Supervisor of Elections:

- (1) A sworn affidavit at the time of qualifying as a candidate that provides the then-current address of the "bona fide " residence of the candidate, which residence shall be the location where the candidate actually lives and resides and which constitutes his or her principal residence; and
- (2) Documentation of his or her principal residence within the ward for which he or she is a candidate for election, at least six (6) months prior to the election date, and as of the date of filing of the statement of candidacy, including:
 - (i) Maryland voter's registration;
 - (ii) Current driver's license or Identification Card issued by the Motor Vehicle Administration of Maryland;
 - (iii) Real property tax receipt, ~~deed, or a~~ copy of a lease agreement for the residence, or ~~an~~ affidavit from the property owner or Lessor confirming, under oath, that the property is the principal residence of the candidate; and
 - (v) Two (2) of the following (with any personal or financial information and Social Security Numbers redacted): bank statement, utility bill, W-2 form, and/or a Form 1099 issued by the Internal Revenue Service.

~~(d) If, after elected, a commissioner is forced to move out of his or her ward due to damage, destruction, extensive renovation or sale of his or her residence or termination of the lease to the residence, said commissioner shall provide to the City Manager within ten (10) days after said move current documentation pursuant to subsection (c)(2) above and a sworn~~

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~~statement consistent with subsection (c)(1) above stating the reason(s) for the move out of the ward.~~

~~(de) Within ten (10) days of returning to the ward to which he or she was elected, the said commissioner shall provide to the City Manager a sworn statement consistent with subsection (c)(1) above confirming the date on which he or she resumed residing within the ward to which he or she was elected and current documentation pursuant to subsection (c)(2) above confirming the reestablishment of his or her residence in the ward to which he or she was elected.~~

~~(f) Commissioners who are called to active military duty shall be exempt from the residency requirements set forth herein for the duration of his or her active military service requiring ~~which requires~~ him or her to move out of the City.~~

(P.L.L., 1930, art. 10, § 47; 1961 Code, § 30; 1900, ch. 339, § 45; 1910, ch. 233, § 45 (p. 772); 1912, ch. 694, § 45; Res. of 3-13-61, § 47; Charter Amdt. No. 19, 7-28-69; Charter Amdt. No. 45-72-2, 5-2-72; Charter Amdt. No. 107-85-1, 9-16-85; Res. No. CR-2016-03, 4-4-17; Res. No. CR-2019-02, § 1, 3-3-20)

Sec. 3-6. Commissioners; election.

The commissioners shall be elected in a City wide election to be held as provided in Section 3-13(a) of this Charter, at which time all five commissioners will be voted on simultaneously by ward.

(Charter Amdt. No. 20, 7-28-69; Res. No. CR-2016-04, 8-30-16; Res. No. CR-2019-02, § 2, 3-3-20)

Sec. 3-7. Supervisor of Elections.

- (a) *Appointment, tenure.* The City Manager shall serve as the Supervisor of Elections.
- (b) *Alternate Supervisor of Elections.* In the event, for any reason, the Supervisor of Elections at any time is unable to serve and perform the duties of the office, the Finance Director shall assume and perform the duties of said office and, when acting for and in the place of the Supervisor of Elections, is empowered, authorized and directed to perform all the duties of said office.
- (c) *Issuance of election certificates.* The Supervisor of Elections shall issue a certificate of election to each official elected, and issue two (2) certificates, one (1) to the mayor and one (1) to the commissioners, whenever any proposition is submitted to the vote of the people, showing the vote for and against, which certificate shall be on blanks prepared by the City Manager, and shall contain a plain statement of the facts and be signed by the Supervisor of Elections.

(1961 Code, § 31; 1943, ch. 923, § 47A; 1953, ch. 83, § 47A; Res. of 3-13-61, § 47A; Charter Amdt. No. 32, § 31(b), 7-28-69; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2016-02, 8-9-16; Res. No. CR-2019-02, § 3, 3-3-20)

Sec. 3-8. Universal registration for elections.

- (a) ~~In addition, registration of voters may be accomplished in accordance with, and pursuant to Title 3 of the Election Law Article, Annotated Code of Maryland, as amended by, through or under the authority of the Dorchester County Board of Elections, and to the extent not inconsistent with this Charter. The Supervisor of Elections may conduct universal voter registration if authorized by the Dorchester County Board of Elections.~~

~~The commissioners shall provide for the registration of the names of a~~All the persons who possess the qualifications prescribed in Section 3-11 of this Charter to be qualified voters ~~of the City may register to vote with the Dorchester County Board of Elections in accordance Title 3 of the Election Law Article, Annotated Code of Maryland, as amended by, through, or under the authority of the Board,~~ which registration shall be conclusive evidence to the Supervisor of Elections of the right of every person, thus registered, to vote in any election held in the City of Cambridge, ~~but no person shall vote at any election held in the City unless his or her name appears in the list of registered voters under the universal voter registration system for Dorchester County, Maryland; the names of all persons who have the qualifications prescribed in Section 3-11 of this Charter, and who are not disqualified under this Section, shall be added to the list of qualified voters by the Supervisor of Elections.~~ Registration shall be permanent until a registrant becomes disqualified.

- (b) The Supervisor of Elections shall not maintain a separate registration for voters who do not wish to be registered for county, State or national elections through the universal voter registration system for Dorchester County, Maryland.
- (c) If a voter has been removed from the voter roll of the universal voter registration system for Dorchester County, Maryland, pursuant to Section 3-502 of the Election Law Article Annotated Code of Maryland, as amended from time to time, ~~it shall be the duty of the Supervisor of Elections to cause~~ the registration of that voter ~~shall to~~ be canceled. Notice of this action and the reason therefor shall be sent to the voter pursuant to Section 3-401 et seq. of the Election Law Article, Annotated Code of Maryland, as amended from time to time.
- (d) A voter whose registration has been canceled under this Section shall not thereafter be eligible to vote except by registering again as provided in this Section.
- (e) Annually, the Supervisor of Elections shall determine which such persons shall be removed from the voter roll and send those persons the notice required in this Section. Such notice shall also be sent to the Dorchester County Board of Elections if so required by law.
- (f) The Supervisor of Elections shall be in charge of ~~the registration of voters,~~ absentee voting, and the administering of all City elections. The Supervisor of Elections shall be responsible for public notification of elections, the deadlines for voter registration, the nominations and statements of candidacy and the certification of elections results. The Supervisor of Elections may appoint, subject to the approval of the commissioners, election clerks and other employees and contract with third parties, ~~including the Dorchester County Board of Elections,~~ to assist the Supervisor of Elections in any way in his or her duties. ~~In addition, registration of voters may be accomplished in accordance with, and pursuant to Title 3 of the Election Law Article, Annotated Code of Maryland, as amended by, through or under~~

~~the authority of the Dorchester County Board of Elections, and to the extent not inconsistent with this Charter. The Supervisor of Elections may conduct universal voter registration if authorized by the Dorchester County Board of Elections.~~

(g) Notice of ~~registration days and~~ elections.

~~(1) It shall be the duty of the Supervisor of Elections to give public notice of the hours and places for voter registration, and of any changes of such hours and places, and when supplemental registration is authorized, to give notice of the hours and places thereof.~~

~~(2)~~ The Supervisor of Elections shall give public notice of every City election by publishing at least once each week for two (2) consecutive weeks, the first of which publication shall not be more than thirty (30) days before the election and last of which publications shall not be less than seven (7) days before the election, said advertisement to be published in at least one newspaper of general circulation in the City and by posting a notice thereof on the bulletin board in the City office.

(h) Candidate. Each candidate at any election held under any of the provisions of this Charter or any amendments thereto, shall have the right to enter the ~~place of registration or the~~ polling place for any ward at any time ~~during the days appointed for registration of voters or~~ during the voting and the counting of the votes. Each candidate shall also have the right to designate ~~one (1) or more poll~~ ~~one (1)~~ watchers for each polling place who shall have the same power as the candidate himself or herself in regard to observing the conduct of the registration, the casting and counting of the vote. No more than one (1) poll watcher per candidate may be present during the voting or the counting of the votes.

(i) Deadlines for voter registration. Any qualified person desiring to vote in a City election must register to vote at least twenty-~~one~~ ~~(21)~~ days prior to the date for said election. Voter registration shall cease at ~~4:00 p.m.~~ the close of business of the Dorchester County Board of Elections on the ~~twentieth-twenty-first~~ ~~(21st)~~ day preceding the date of the election.

(P.L.L., 1930, art. 10, § 48; 1961 Code, § 32; 1912, ch. 694, § 45A; 1916, ch. 694, § 45A; 1935, ch. 398; 1943, ch. 923, § 48; 1953, ch. 83, § 48; Res. of 3-13-61, § 48; Charter Amdt. No. 34, § 32(i), 7-28-69; Charter Amdt. No. 51-74-4, § 32(d), (g), (h), 3-12-74; Res. No. CR96-001, § 1, 3-11-96; Res. No. CR2004-04, 3-22-04; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 4, 3-3-20)

Sec. 3-9. Voting machines.

In all elections held in the City of Cambridge, voting machines are permitted to be used and any reference to the use of ballots hereinafter contained applies equally to the use of voting machines with ballot labels thereon. The Supervisor of Elections shall have the authority to use the voting systems and ballots he or she selects and certifies in all City elections.

(Charter Amdt. No. 52-74-5, 3-2-74; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 5, 3-3-20; Res. No. CR-2020-02, § 1, 7-13-20)

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Sec. 3-10. Qualifications of candidates.

- (a) *General.* Candidates to be voted for at all elections for commissioners and mayor shall file a statement of candidacy as set forth herein and shall meet all of the qualifications for office as set forth in Section 3-5 and 3-20 of this Charter.
- (b) (1) *Statement of candidacy.* Any person desiring to become a candidate for commissioner or mayor shall at least ~~seventy~~forty-five (745) days prior to the date for the election, file with the Supervisor of Elections a statement of such candidacy in substantially the following form, to wit:

Candidate for Nomination for _____

State of Maryland, Dorchester County, to wit:

I, _____ being first sworn, hereby declare and affirm under the penalties of perjury, that I reside at _____ in the City of Cambridge, County of Dorchester, State of Maryland, and that the aforesaid address is my principal and legal residence, and has been my principal and legal residence continuously since _____, and I am a qualified voter therein; that I am a candidate for the office of _____ to be voted upon at the election to be held on the ___ day of ___, 20___. I further certify and affirm, under the penalties of perjury, that (a) I am at least twenty-five (25) years of age (or will attain the age of twenty-five (25) years prior to the date of the election), (b) that I have been a bona fide resident of the City of Cambridge for one (1) year prior to the date of the election, and (c) that I have continuously been a bona fide resident of Ward No. ___ for at least six (6) months prior to the date of the election; and I hereby request my name be placed upon the official ballot for election for such office.

I hereby acknowledge, confirm and agree, that in addition to any other penalties which may be applicable, any person who knowingly misrepresents his/her legal residency, and/or who knowingly makes a false statement in writing regarding his/her residency as a qualification for election, shall be guilty of perjury and shall be disqualified to hold the public office for which he/she has filed.

Signed _____

Subscribed and sworn to (or affirmed) before me this ___ day of ___, 20__

Accompanying the Statement of Candidacy shall be a copy of the documentation set forth in Section 3-5 of this Charter.

- (2) *Candidate Financial Disclosure.* Any person desiring to become a candidate for commissioner or mayor shall comply with all applicable financial disclosure requirements and election finance reporting requirements of the City's Ethics Code in effect at the time of said filing.
- (c) *Filing fees.* At the same time candidates for mayor shall deposit with the Supervisor of Elections the sum of \$50 and candidates for commissioner shall deposit with the Supervisor of Elections the sum of \$25, which sums shall be paid over to the City for the purpose of defraying, in whole or in part, the expenses of such election.

- (d) *Published notice.* Immediately upon the expiration of the time for filing such statements of candidacy, the Supervisor of Elections shall cause to be advertised in two (2) newspapers published in the City, one (1) of which shall be a daily newspaper, if there be a daily newspaper published in the City, the names of the persons who have filed statements of their candidacy and have deposited the filing fee as hereinbefore provided, designating the office for which such person is a candidate.
- (e) *Voters; challenges.* The persons who are qualified to vote at the general election shall be qualified to vote at the election run-off, if any, and challenges can be made by not more than two (2) persons to be appointed at the time of the opening of the polls by the judges of election, or such challenge shall be made in person by the candidate themselves.
- (f) *Tally of ballots; canvass.* Upon the closing of the polls, the judges of election shall immediately count the ballots and make return thereof to the Supervisor of Elections in accordance with Section 3-15 of this Charter, at the City Hall, before the noon hour of the first Monday following said election, and at said time shall return the poll books and registry books, and on the same day the Supervisor of Elections shall canvass the returns so received from all the wards or precincts or polling places wherein such election has been held and shall publish at least once in a daily newspaper, and in such other newspapers as he or she may deem proper the result of such election.
- (g) *Nominees.* All persons who satisfy all of the qualifications for candidacy shall be the candidates and the only candidates for any elected office and their names shall be placed upon the ballot at the ensuing municipal election as the candidates whose election is hereinafter provided for.

(P.L.L., 1930, art. 10, § 49; 1961 Code, § 33; 1912, ch. 694, § 45B; 1954, ch. 923; Res. of 3-13-61, § 49; Charter Amdt. No. 21, 7-28-69; Res. No. CR2004-03, 2-23-04; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2016-05, § 1, 8-30-16; Res. No. CR-2019-02, § 6, 3-3-20)

Sec. 3-11. Qualifications of voters.

- (a) *Qualified voters.* Only persons ~~possessing the qualifications in Subsection qualified to vote in City elections, according to the terms of paragraph (b) below of this Section,~~ shall be registered as qualified voters.
- (b) *Qualifications.* The qualifications of voters are the following, each one of which is applicable to every voter:
- (1) Citizen of the United States;
 - (2) Age of eighteen (18) years or older on or before the day of the next City election;
 - ~~(3) Resident of the State of Maryland for twenty (20) days preceding the next City election;~~
 - (34) Resident of the City of Cambridge as of the time for closing of registration, next preceding the City election; and
 - ~~(45)~~ Not constitutionally regulated and prohibited by subsection (c) of this Section.

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(c) *Exceptions.* No person shall be registered as a qualified voter, nor be permitted to vote in any City election, if he or she is not qualified to be a registered voter as prescribed by Section 3-102 of the Election Law Article, Annotated Code of Maryland, as amended from time to time.

(d) Every person registered as a qualified voter of the City is entitled to vote in all City elections.

(P.L.L. 1930, art. 10, § 50; 1961 Code, § 34; 1900, ch. 339, § 46; 1902, ch. 521, § 46; 1910, ch. 81 (p. 779); 1912, ch. 694, § 46; Res. of 3-13-61, § 50; Charter Amdt. No. 22, 7-28-69; Charter Amdt. No. 46-72-3, 3-27-72; Res. No. CR96-001, § 2, 3-11-96; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 7, 3-3-20)

Sec. 3-12. Absentee voting; voting by mail.

- (a) ~~Except in the event of a mail ballot election as set forth in Subsection (b) below, a~~ qualified voter may vote by absentee ballot except to the extent preempted under an applicable federal law. Such voter shall make application for an absentee ballot with the Supervisor of Elections. Applications for absentee ballots shall be available as soon as notice of the election is published as set forth in this Charter~~beginning on the forty-fifth (45th) day prior to the date set for the general election.~~ Applications shall be due in the office of the Supervisor of Elections, or such other location as he or she may designate, prior to the election. Absentee ballots shall be received at the office of the Supervisor of Elections, or such other location as he or she may designate, on or before the hour established for the closing of polls on the date of ~~each the~~ election in order to be counted. ~~Absentee b~~Ballots received thereafter shall not be accepted, counted or valid. ~~The applications for absentee ballots, the review, issuance or rejection of absentee ballots, the use of an agent in the absentee ballot process, and any and all other documentation and procedures adopted and approved for State and County elections, as codified in the Election Law Article of the Annotated Code of Maryland, shall be applicable to all City elections to the extent not inconsistent with this Charter.~~
- (b) ~~In the event that a state of emergency has been declared for the City pursuant to Section 14-111 of the Public Safety Article, Annotated Code of Maryland and the provisions of this Charter, and if the Supervisor of Elections determines that the conditions giving rise to the state of emergency may reasonably be expected to threaten the health, safety and welfare of any individuals attending a polling place in the City on the date of any election, then t~~The Supervisor of Elections may, in his or her sole discretion, shall be authorized to mail one ballot to each qualified voter of the City to be returned to the Supervisor of Elections, or such other location as he or she may designate, in a self-addressed, stamped envelope. Mail-in ballots shall be sent to all qualified voters prior to the date of the election as determined by the Supervisor of Elections. Completed mail-in ballots ~~must shall~~ be received at the office of the Supervisor of Elections, or such other location as he or she may designate, on or before the hour established for the closing of the polls on the date of the election in order to be counted. Mail-in ballots received thereafter shall not be accepted, counted or valid. Nothing in this subsection shall be deemed to prohibit qualified voters wishing to vote ~~by~~

~~absentee ballot or~~ in person on the date of the election instead of submitting a mail-in ballot from doing so.

(c) The applications for absentee ballots, the review, issuance or rejection of absentee and mail-in ballots, the use of an agent in the absentee and mail-in ballot processes, and any and all other documentation and procedures adopted and approved for State and County elections, as codified in the Election Law Article of the Annotated Code of Maryland, shall be applicable to all City elections to the extent not inconsistent with this Charter.

(Charter Amdt. No. 33, 7-28-69; Charter Amdt. No. 71-74-24, 3-27-74; Charter Amdt. No. 83-75-2; Res. No. CR2004-05, 3-22-04; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 8, 3-3-20; Res. No. CR-2020-02, § 2, 7-13-20)

Sec. 3-12A. Special elections.

- (a) Whenever the commissioners order that a special election shall be held as set forth in Section 3-16 or 3-21A hereof, said special election shall be held and conducted as follows:
- (1) At the meeting of the City Council at which the vote is made to order a special election pursuant to Section 3-16 or 3-21A hereof, the City Council shall announce that anyone wishing to file as a candidate in the special election shall have ~~twenty-one~~^{fifteen} (21~~5~~) days from the date of said vote to file a statement of candidacy. The deadline for filing said statement of candidacy shall also be published in a newspaper of general circulation within the City.
 - (2) The special election shall be held no earlier than the seventy-fifth (75th) day and no later than the ninetieth (90th) day ~~on the fourth Tuesday~~ following the deadline date for filing statements of candidacy.
 - (3) In the event one (1) of the candidates receives more than fifty percent (50%) of the votes cast in the special election, said candidate shall become the elected official and no run-off special election shall be held. If none of the candidates receives more than fifty percent (50%) of the votes cast, then the two candidates receiving the most votes cast shall proceed to the run-off special election.
 - (4) The run-off special election, if any, shall be held no earlier than the seventy-fifth (75th) day and no later than the ninetieth (90th) day ~~on the fourth (4th) Tuesday~~, following the date of the special election. The candidate receiving the most votes cast in the run-off special election shall become the elected official.
 - (5) In the event the date of the special election or run-off special election falls on a Sunday or a legal holiday, the said election shall be held on the first non-holiday weekday thereafter.
 - (6~~5~~) In the event of a tie vote in the run-off special election, the judges of election shall use an impartial method of chance, such as a coin toss, to determine the elected official.

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(7) The elected official of the special election shall be sworn in at the beginning of the next City Council meeting following the certification of votes by the Supervisor of Elections.

(Res. No. CR-2006-01, 6-12-07; Res. No. CR-2019-02, § 9, 3-3-20)

Sec. 3-13. General elections.

- (a) *Date.* On the third (3rd) Saturday in October in the year two thousand twenty-four (2024); ~~and every fourth (4th) calendar year thereafter~~, there shall be an election held in the City for the purpose of choosing commissioners and the mayor, as hereinafter provided. On the third (3rd) Saturday in May in the year two thousand twenty-nine (2029), there shall be an election held in the City for the purpose of choosing commissioners and the mayor, as hereinafter provided. On the third (3rd) Saturday in May in the year two thousand thirty-three (2033), and every fourth (4th) calendar year thereafter, there shall be an election held in the City for the purpose of choosing commissioners and the mayor, as hereinafter provided.
- (b) *Ballots; form.* The Supervisor of Elections shall prepare the ballots for such election. All City elections are non-partisan, and the ballots therefor shall not state the name of any political party. The ballots shall be in legible type, shall be headed "Ballot", with the names of the candidates for the respective office arranged in alphabetical order and grouped according to their ward residence, and upon each group of names shall appear the words "Vote for One." After the name of each candidate shall be a square in which the voter may make a legible cross mark for the candidate of his or her choice.
- (c) *Same; delivery.* The Supervisor of Elections shall deliver at each polling place the said registries of voters and a sufficient number of the said official ballots or voting machines or systems, and each qualified voter shall be provided a ballot or access to a ballot on the voting machine or system for the purpose of voting and shall be accepted by the judges or counted in canvassing the vote; provided, however, that nothing herein shall be deemed to prevent candidates for the various offices to have sample ballots, to be provided for at their own expense, for instructing the voters.
- (d) *Procedure.* If any voter cannot read or write, or is disabled by reason of any physical infirmity, he or she may ask one of the judges of election to mark his or her ballot as he or she desires. When a voter offers to vote, the judges shall ascertain by reference if his or her name is on the registry of voters; provided, however, that in any election held in the City, voting machines may be used in the same manner as provided for elections held in Dorchester County, to the extent not inconsistent with this Charter.
- (e) *Hours.* In every referendum or election ~~run-off~~, the polls shall be opened and voting permitted between the hours of at 7 a.m. and closed at 7 p.m. ~~In all general elections, the polls shall be open and voting permitted during the hours established by the Supervisor of Elections.~~

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(f) In the event one (1) of the qualifying candidates receives more than fifty percent (50%) of the votes cast in the general election, said candidate shall become the elected official and no run-off shall be held.

(g) *Election Run-off.* If none of the qualifying candidates receives more than fifty percent (50%) of the votes cast at the general election, then the two (2) candidates receiving the most votes cast shall proceed to a general election run-off to be held on the first (1st) Tuesday of December immediately following the general election; provided, however, that beginning in 2029 and continuing thereafter, the general election run-off, if any, shall be held on the first (1st) Tuesday of July immediately following the general election. The candidate receiving the most votes cast in the run-off shall become the elected official and shall be sworn in at the beginning of the first (1st) City Council meeting immediately following the election run-off. In the event the date of the general election run-off falls on a legal holiday, the said election shall be held on the first non-holiday weekday thereafter.

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(h) *Tie Vote.* In the event of a tie vote in the election run-off, the judges of election shall use an impartial method of chance, such as a coin toss, to determine the elected official.

(i) The ~~elected commissioners-elect~~ officials of the general election shall be sworn in at the beginning of the first (1st) City Council meeting in January immediately following the general election; provided, however, that beginning in 2029 and continuing thereafter, the commissioners-elect shall be sworn in at the beginning of the first (1st) City Council meeting in July immediately following the general election.

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(P.L.L., 1930, art. 10, § 51; 1961 Code, § 35; 1900, ch. 339, § 47; 1912, ch. 694, § 47; 1935, ch. 398, § 51; 1943, ch. 923, § 51; 1953, ch. 83, § 51; Res. of 3-13-61, § 51; Charter Amdt. No. 23, 7-28-69; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2016-05, § 2, 8-30-16; Res. No. CR-2019-02, § 10, 3-3-20; Res. No. CR-2020-02, § 3, 7-13-20)

Sec. 3-14. Judges and clerks of election.

(a) *Appointment.* Within the thirty (30) days next preceding any general or special election, the Supervisor of Elections shall, with disregard as to the political faith, select, submit and recommend to the commissioners for appointment, subject to their approval, the number of judges of election to be used in each ward along with persons recommended to serve as judges of election for each ward.

(b) *Polling places.* The Supervisor of Elections shall publish in one or more newspapers published in, or of general circulation in, the City, the names of the judges and clerks of election, the polling place in each ward, or the central polling place for all wards, whichever shall be applicable, and the date and object of the election; said notice shall be published at least once a week for two consecutive weeks ~~twice~~ before each election, with the first notice being published not less than fourteen (14) days and the last publication shall not be more than ten (10) nor less than five (5) days before the day of said election.

(c) *Oaths.* Before proceeding to act, each judge and clerk of election shall make oath that he or she will, well and faithfully, without fear or favor, partiality or prejudice, perform the duties of judge or clerk, as the case may be, and in the case of a judge that he or she will deposit or

account for all legal ballots in the ballot box, or within the voting machine, and no other ballot, and that he or she will make out and sign correct returns of the votes cast for each candidate and of the whole number of votes cast at said election.

- (d) *Failure to Act.* If any person who has been appointed judge or clerk of election shall fail, without good and sufficient reason to excuse him or her, to attend and act, he or she shall be guilty of a misdemeanor, and on conviction thereof before any court of law in the State of Maryland, shall be fined not more than \$500, or committed to jail for not more than sixty (60) days, or both.
- (e) *Vacancy.* If any vacancy occurs in the office of judge or clerk of election it shall, if it occurs before the day of election, be filled by appointment by the ~~mayor~~ [Supervisor of Elections](#) alone.

(P.L.L. 1930, art. 10, § 52; 1961 Code, § 36; 1900, ch. 339, § 48; 1904, ch. 395, § 48; 1912, ch. 694, § 48; 1943, ch. 923, § 52; 1953, ch. 83, § 52; Res. of 3-13-61, § 52; Charter Amdt. No. 72-74-25, § 36(d), 3-27-74; Res. No. CR2004-02, 2-23-04; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 11, 3-3-20)

Sec. 3-15. Same; duties, election offenses.

- (a) *Duties of judges of election.* The judges of election at every election for commissioners, immediately after the polls are closed, shall count the ballots cast ~~in each ward for which they were appointed judges~~, and the clerks shall tally the votes cast for each candidate, after which the judges shall make out, on forms furnished by the Supervisor of Elections, and sign a certificate setting out the whole number of votes cast in ~~said each~~ ward and also the number of votes cast for each candidate, which certificate shall be delivered to the Supervisor of Elections, who shall be responsible for the certification of the official election results for all City elections. The counting and tallying of ballots may occur electronically, with appropriate security measures being used to ensure the accuracy and integrity of the election process. The certificate of the Supervisor of Elections shall state the persons receiving the highest number of votes are elected. All judges of election shall comply with the policies and regulations as approved and adopted by the Supervisor of Elections relating to the canvassing, counting, tabulating and reporting of votes and ballots.
- (b) *Election offenses.* Any person who bribes, coerces or intimidates any voter or attempts to bribe, coerce or intimidate any voters at any election held under the direction of the Supervisor of Elections and the commissioners, shall be guilty of a misdemeanor, and on conviction thereof before any court of law shall be fined for each and every offense not more than five hundred dollars (\$500) or confined in the county jail for not more than three (3) months, or both, in the discretion of the court having jurisdiction and hearing said case.

(P.L.L., 1930, art. 10, § 53; 1961 Code, § 37; 1900, ch. 339, § 49; 1904, ch. 395, § 49; 1912, ch. 694, § 49; 1943, ch. 923, § 53; Charter Amdt. No. 24, § 37(a), 7-28-69; Charter Amdt. No. 73-74-26, § 37(b), 3-27-74; Res. No. CR-2011-02, 9-13-11; Res. No. CR-2019-02, § 12, 3-3-20)

Sec. 3-16. Vacancies in office of commissioner.

- (a) If any vacancy shall happen in the office of commissioner by reason of resignation, death, removal from office, change of residence, failure to qualify, or otherwise within the first two (2) years of the said commissioner's term, the remaining commissioners shall, within thirty (30) days of the occurrence of said vacancy, order a special election to be held to fill the unexpired time for which the commissioner who vacated his or her office was elected. In such cases, judges of election shall be appointed, polling places shall be designated, and the notice and the date and the object of the election shall be given, the election shall be held, and the returns shall be made as provided for by Sections 3-14 and 3-15 of this Charter.
- (b) Subject to the provisions of subsection (c) below, if any vacancy shall happen in the office of commissioner by reason of resignation, death, removal from office, change of residence, failure to qualify, or otherwise after the first two years of the said commissioner's term, the remaining commissioners shall, within thirty (30) days of the occurrence of said vacancy, appoint a bona fide resident of the ward to which the vacating commissioner was elected, who shall have all qualifications set forth in Section 3-5 of this Charter, to fill the unexpired time for which the commissioner who vacated his or her office was elected. The mayor shall have no vote, even in the event of a tie. The commissioners may provide an opportunity for interested qualified individuals to apply for the vacancy. In the event the remaining commissioners are unable to appoint a qualified individual by majority vote, then the remaining commissioners shall order a special election to be held to fill the unexpired time for which the commissioner who vacated his or her office was elected. In such cases, judges of election shall be appointed, polling places shall be designated, and the notice and the date and the object of the election shall be given, the election shall be held, and the returns shall be made as provided for by Sections 3-14 and 3-15 of this Charter.
- (c) ~~N~~ provided that no special election shall be held to fill a vacancy within the four (4) months next preceding the date appointed for the general election. While a vacancy exists, ordinances may be passed with the concurrence of three (3) commissioners, as in other cases, and any other acts may be done and performed by a quorum which may ordinarily be done and performed thereby.

(P.L.L., 1930, art. 10, § 54; 1961 Code, § 38; 1900, ch. 339, § 50; Charter Amdt. No. 7, 6-25-63; Charter Amdt. No. 25, 7-28-69; Res. No. CR-2019-02, § 13, 3-3-20)

Sec. 3-17. Oaths.

In addition to any officer authorized to administer oaths under the laws of the State of Maryland, the mayor, the City Manager and any commissioner are hereby authorized to administer all official oaths and to administer an oath to any person who may desire to give testimony before the commissioners, or who may be summoned by the commissioners, on any subject, if the mayor or two (2) commissioners shall demand that such testimony be given on oath, and any person who shall refuse or fail to appear when summoned, or who shall refuse to answer any relevant or pertinent questions, or who shall answer falsely any question, or make any false statement on oath before the commissioners or a majority of them, or before the mayor,

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shall be guilty of a misdemeanor, and on conviction thereof before any court of law shall be fined not more than five hundred dollars (\$500) or confined in the county jail for thirty (30) days, or both, in the discretion of the court having jurisdiction.

(P.L.L., 1930, art. 10, § 55; 1961 Code, § 39; 1900, ch. 339, § 51; 1904, ch. 395, § 51; Charter Amdt. No. 8, § 39, 6-25-63; Charter Amdt. No. 74-74-27, 3-27-74; Res. No. CR-2016-01, 8-9-16; Res. No. CR-2019-02, § 14, 3-3-20)

Sec. 3-18. Organization of commissioners; president; oath.

~~At the meeting at which the newly elected commissioners are sworn in as set forth in Section 3-13(i) of this Charter. On the first (1st) regularly scheduled City Council meeting in January following the certification of a general election result,~~ the newly elected commissioners shall meet in the Council Chambers and take the oath required by Article 1, Section 9 of the Constitution of Maryland before the mayor, the City Manager, or any officer authorized to administer oaths in the State of Maryland. ~~A and any~~ newly elected commissioner not present may take such oath as soon as practical subsequent thereto, but in no event later than thirty (30) days after the said first (1st) regularly scheduled City Council meeting ~~in January following the certification of a general election result.~~ Immediately upon taking the oath of office, the commissioners shall organize and elect a president, the mayor presiding but having no vote except in case of a tie. In addition to the powers hereinafter vested in him or her, the president of the commissioners shall preside over the meetings of the commissioners in the mayor's absence.

(P.L.L., 1930, art. 10, § 56; 1961 Code, § 40; 1900, ch. 339, § 52; 1904, ch. 395, § 52; 1912, ch. 694, § 52; Charter Amdt. No. 8, § 40, 6-25-63; Res. No. CR-2011-01, 8-9-11; Res. No. CR-2016-05, § 3, 8-30-16; Res. No. CR-2019-02, § 15, 3-3-20)

Note(s)—The Charter of the City of Cambridge confers upon its commissioners the power to appoint a city engineer and a city attorney, and the provisions thereof authorizing the mayor to veto ordinances are not applicable thereto. Jackson v. Cosby et al, 179 Md. 675, 22A.2d 453 (1941).

Persons appointed by the Commissioners of the City of Cambridge as city engineer and city attorney, neither of which offices was created by the Legislature, and neither of whom received any commission, nor is required to file any official bond, and who exercise no powers, except such as are derived from the commissioners, are mere employees and not public officers required to take the oath of office prescribed by the Maryland Constitution, art. 1, § 6. Jackson v. Cosby et al, 179 Md. 675, 22A.2d 453 (1941).

Sec. 3-19. Same; failure to qualify; test book.

~~The newly elected commissioners, immediately upon taking the oath of office, shall organize and elect a president, the mayor presiding but having no vote except in case of a tie.~~ If any person who has been elected commissioner shall fail to qualify as prescribed by Section 3-18 of this Charter, his or her office shall be declared to be vacant and a special election shall be ordered to fill the vacancy as provided by this Charter. The City Manager, in addition to the duties required of him or her heretofore by this Charter, shall keep a test book which shall be

signed by all persons who take an oath of any kind, the said book shall also state the character of the oath taken; that is, whether as an officer or a witness, and if any officer, the title of the office shall be stated. All officers of the City, before entering upon their duties, shall take the oaths required by Article I, Section 6, of the Constitution of Maryland and the same shall be recorded in said test book.

(P.L.L., 1930, art. 10, § 57; 1961 Code, § 41; 1900, ch. 339, § 53; 1904, ch. 395, § 53; 1912, ch. 694, § 53; 1931, ch. 486, § 53; 1935, ch. 256, § 57; Charter Amdt. No. 8, § 41, 6-25-63; Charter Amdt. No. 26, 7-28-69; Res. of 11-15-93, § 1; Res. No. CR-2016-01, 8-9-16; Res. No. CR-2019-02, § 16, 3-3-20)

Sec. 3-20. Mayor; election, compensation, veto powers.

The mayor shall be nominated in the manner set forth in Section 3-10 of this Charter and shall be elected by the voters of the entire City for a term of four (4) years, or until his or her successor takes office; provided, however, that the term of office for the mayor elected at the 2024 general election shall be for four (4) years and seven (7) months, or until his or her successor takes office. ~~T~~and the election for mayor shall be held at the same time as the commissioners, the qualifications for the office of mayor being the same as those of the commissioners as expressed in Section 3-5, Subsections (a) through (c), of this Charter; provided, however, that the mayor shall not be required to remain a resident of the ward in which he or she resided at the time of his or her election, but he or she shall remain a resident of the City for the duration of his or her term. The mayor shall receive compensation in the form of an annual salary and may receive additional compensation as set from time to time by an ordinance passed by the commissioners in the regular course of business; provided, however, that no change shall be made in the compensation for any mayor during the term for which he/she was elected. The ordinance making any change in the compensation for the mayor, either by way of increase or decrease, shall be passed prior to the municipal election to elect the next succeeding mayor, and shall take effect only as to the next succeeding mayor. In addition to the powers, hereinafter vested in him/her, said mayor shall have the power to veto any ordinances passed by the commissioners. Every ordinance passed by the commissioners, before it becomes valid, shall be presented to the mayor; if he or she approved it, he or she shall sign it, but if not, he/she shall return it with his/her objections to the commissioners. An ordinance passed by the commissioners shall be deemed to have been presented to the mayor on the date of the meeting at which it was passed. If, after reconsideration thereof, four-fifths ($\frac{4}{5}$) of the commissioners vote affirmatively for said ordinance, it shall become valid. If the commissioners fail to reconsider the vetoed ordinance within thirty (30) days of the date of the mayor's veto, then the veto shall be final, and the ordinance shall not be valid. If any ordinance shall not be returned by the mayor within six (6) days after it shall have been presented to him/her, the same shall become valid.

(1961 Code, § 42; 1935, ch. 256, § 57A; Charter Amdt. No. 9, 6-25-63; Charter Amdt. No. 27, 7-28-69; Charter Amdt. No. 99-79-6, § 1, 12-25-79; Res. No. CR-2016-05, § 4, 8-30-16; Res. No. CR-2019-02, § 17, 3-3-20; Res. No. CR-2020-01, § 1, 7-13-20)

Sec. 3-21. Mayor; oath of office, duties.

- (a) *Oath of office.* ~~Following his or her election, t~~The mayor-elect shall, on or before the ~~meeting at which the newly elected commissioners are sworn in as set forth in Sections 3-13(i) and 3-18 of this Charter, but not before the first of the month in which said meeting occurs~~second (2nd) Monday in January following his or her election, ~~but not before the first (1st) day of January following his or her election,~~ appear before the Clerk of the Circuit Court for Dorchester County and make the declaration and take the oath prescribed by the Constitution of Maryland, and, procuring from said Clerk a certificate of the declaration and oath taken by him/her as mayor, shall return the same to the commissioners.
- (b) *General duties.* The mayor shall be the principal representative and signatory of the City in all official and ceremonial matters, and before all federal, State, and local governmental bodies, including serving as Resident Agent of the City. The mayor shall preside over the meetings of the commissioners and shall be entitled to actively engage in any discussion that occurs during the meetings of the commissioners. The mayor is authorized to declare for the City when a formal emergency begins and ends. The mayor shall also perform such other duties and functions as may be authorized or required of him or her under this charter, or the amendments thereto, or by municipal ordinances.
- (c) *Personnel Duties.* The mayor shall have a vote along with the commissioners on the issue of termination of the employment agreement of ~~(1) any person who holds the position of City Manager or Acting City Manager, and (2) any Department Head employed pursuant to the employment agreement which agreement is in effect prior to the effective date of this Charter provision, and which employment agreement provides for the mayor's participation in the termination of employment.~~
- (d) *Voting and veto power.* Unless otherwise provided by a specific ordinance or Charter provision, the mayor shall only vote in the event of a tie vote of the commissioners. The mayor shall have the power and authority to veto ordinances passed by the commissioners, as set forth in Section 3-20 of this Charter.

~~(e) *Effective Date.* The effective date of this Section shall be February 3, 2015.~~

(P.L.L., 1930, art. 10, § 58; 1961 Code, § 43; 1900, ch. 339, § 54; 1939, ch. 12; Charter Amdt. No. 8, § 43, 6-25-63; Charter Amdt. No. 28, 7-28-69; Res. No. CR-2000-003, 10-31-00; Res. No. CR-2005-01, 1-17-06; Res. No. CR-2014-02, 2-3-15; Res. No. CR-2016-05, § 5, 8-30-16; Res. No. CR-2019-02, § 18, 3-3-20)

Note(s)—Resolution CR-2005-01, effective Jan. 17, 2006, repealed subsection (e) of § 3-21 of this Charter but did not provide for renumbering of the section.

Sec. 3-21A. Vacancies in office of mayor.

~~If any vacancy shall happen in the office of mayor by reason of resignation, death, removal from office, change of residence, failure to qualify, or otherwise, the commissioners shall promptly order a special election to be held to fill the unexpired time for which the mayor was elected. In such cases judges of election shall be appointed, polling places shall be designated,~~

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~~and the notice and the date of the election shall be given, the election shall be held, and the returns shall be made as provided for by Sections 3-14 and 3-15 of this Charter; provided, however, that no special election shall be held to fill a vacancy within the four (4) months next preceding the date appointed for the general election. When a vacancy exists in the office of mayor, all rights, powers and duties of the mayor shall be assumed by the president of the commissioners.~~

- (a) If any vacancy shall happen in the office of mayor by reason of resignation, death, removal from office, change of residence to outside the corporate limits of the City, failure to qualify, or otherwise within the first two years of his or her term, the commissioners shall, within thirty (30) days of the occurrence of said vacancy, order a special election to be held to fill the unexpired time for which the said mayor was elected. In such cases, judges of election shall be appointed, polling places shall be designated, and the notice and the date and the object of the election shall be given, the election shall be held, and the returns shall be made as provided for by Sections 3-14 and 3-15 of this Charter.
- (b) Subject to the provisions of subsection (c) below, if any vacancy shall happen in the office of mayor by reason of resignation, death, removal from office, change of residence, failure to qualify, or otherwise after the first two years of his or her term, the commissioners shall, within thirty (30) days of the occurrence of said vacancy, appoint an individual having all qualifications set forth in Section 3-5, Subsections (a) through (c) of this Charter, to fill the unexpired time for which the said mayor who vacated his or her office was elected. The commissioners may provide an opportunity for interested qualified individuals to apply for the vacancy. In the event the commissioners are unable to appoint a qualified individual by supermajority vote of at least four-fifths of the commissioners, then the commissioners shall order a special election to be held to fill the unexpired time for which the mayor who vacated his or her office was elected. In such cases, judges of election shall be appointed, polling places shall be designated, and the notice and the date and the object of the election shall be given, the election shall be held, and the returns shall be made as provided for by Sections 3-14 and 3-15 of this Charter.
- (c) No special election shall be held to fill a vacancy within the four (4) months next preceding the date appointed for the general election.
- (d) When a vacancy exists in the office of mayor, or when the mayor is otherwise temporarily unable to discharge the powers and duties of his or her office, such powers and duties shall be temporarily assumed by the president of the commissioners for the duration of such vacancy or temporary inability.

(Res. of 11-15-93, § 2; Res. No. CR-2019-02, § 19, 3-3-20)

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Sec. 3-35. - Removals from office; cause, procedure.

The commissioners may remove from office, or discharge from employment, the mayor, a commissioner, the city manager, the chief bailiff and any other officer or employee that may be

elected or appointed under the authority of the charter, or any ordinance or order of the commissioners (whether be the term of service under which he holds his office or employment), for neglect of duty, for incompetence, [for failing to attend three or more consecutive, regularly scheduled City Council meetings](#), or for any other misconduct, which, in the judgment of the commissioners, constitute reasonable and sufficient ground for removing him [or her](#) from office, or depriving him [or her](#) of employment. In all cases, where the official or employee has any fixed or definite term of service, a charge or complaint, in writing, shall be presented to him [or her](#), and evidence as to the facts alleged in such charge or complaint, shall be taken [in a hearing](#) before the commissioners if he [or she](#) denies the correctness or truth of same. But, where the delinquent holds his [or her](#) employment, at the will of the commissioners, they may discharge him [or her](#), with or without formal charge or hearing, if they consider it just, right or expedient thus to do.

(P.L.L., 1930, art. 10, § 86; 1961 Code, § 67; 1900, ch. 339, § 68; Res. No. CR-2016-01, 8-9-16)