



## **Ordinance 637 AMENDED**

**AN ORDINANCE ESTABLISHING THE PROCEDURE FOR THE 2018  
SPECIAL 4<sup>TH</sup> DISTRICT MUNICIPAL ELECTION.**

**Sponsored By:** Mayor Eric Thompson

**First and Second Reading:** March 8, 2018 Council Meeting

**Results:** Passed 6 In favor, 0 Opposed with 1 Vacant

**Third and Final Reading:** April 12, 2018 Council Meeting

**Results:**

# **ORDINANCE 637**

## **AN ORDINANCE ESTABLISHING THE PROCEDURE FOR THE 2018 SPECIAL 4<sup>TH</sup> DISTRICT MUNICIPAL ELECTION.**

**WHEREAS**, Section 302C of the Town Charter states that when a vacancy occurs in the council for any reason at a time that is more than 365 days prior to the next regularly scheduled municipal election that a special election be held to fill the vacancy within 60 days after the occurrence of the vacancy; and

**WHEREAS**, on Thursday, February 22, 2018, 4th District Councilman Edward Zielinski announced that he would be resigning his position of 4<sup>th</sup> District Councilman effective March 8, 2018 which is more than 365 days prior to the next regularly scheduled municipal election;

### **NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:**

That in compliance with the requirements of the Charter of the Town of Elsmere, Chapter 19 of the Code of the Town of Elsmere and the Delaware State Law, the Town of Elsmere shall hold a "Special Election" which shall be conducted under the following Rules and Regulations.

1. That in addition to the requirements of the Charter of the Town of Elsmere, the Code of the Town of Elsmere and the Delaware State Law, the following shall be considered the Rules and Regulations for the 2018 Special 4<sup>th</sup> District Municipal Election.
2. In accordance with Section §302 C, of the Charter of the Town of Elsmere, and Section §19-5 C (3) of the Code of the Town of Elsmere, the 2018 Special 4<sup>th</sup> District Municipal Election shall be held on Monday, May 7, 2018.
3. The hours during which the polls shall be open on this date shall be from 10:00a.m. to 7:00p.m...
4. The polling place for the election shall be held at the Elsmere Town Hall, located at # 11 Poplar Avenue, Elsmere, Delaware 19805.
5. The election shall be held only for the following office:
  - a) For the Office of 4th District Council

6. The Town Manager shall make the required public notice of the election as prescribed by the Charter and Law.
7. The candidate filing deadline shall be 7:00pm on Monday, April 2, 2018.
8. Absentee Ballots shall be made available on April 18, 2018 in accordance with Chapter 19 section 14 C (2) of the Code of the Town of Elsmere.
9. Write in votes shall not be permitted in the 2018 Special 4<sup>th</sup> District Municipal Election.
10. That Mrs. Diana Reed and Mrs. Jackie Moore are appointed as Absentee Ballot Clerks for the election.
11. That the Inspector, Judges and Election Officers shall be appointed by the Mayor and Council at their April 12, 2018 meeting.
12. That the counting of any absentee ballots shall take place in the Council Chambers in room #208 of the Elsmere Town Hall located at # 11 Poplar Avenue, Elsmere DE 19805 by the Absentee Election Judges (who shall be appointed by the Elsmere Board of Elections), at a meeting to be held on Monday, May 7, 2018 at 5:00pm.
13. That the Board of Election shall certify the results of the Election at a public meeting in the Council Chambers at the Elsmere Town Hall on Wednesday, May 9, 2018 at 6:30pm.
14. That a Special Council Meeting be held on Thursday, May 17, 2018 at 6:30pm for the purpose of Swearing in the newly elected councilperson. This meeting shall be held in the Council Chambers at the Elsmere Town Hall.

First and Second Reading  
March 8, 2018

Third and Final Reading  
April 12, 2018

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Eric Thompson, Mayor

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Brian Hurst, Secretary

Approved as to form:

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Town Solicitor

## **SYNOPSIS**

This Ordinance sets forth the procedures to be followed during the 2018 Special 4<sup>th</sup> District Municipal Elections as required by the Charter of the Town of Elsmere.

## **Fiscal Impact**

The cost of the 2018 Special 4<sup>th</sup> District Election is estimated to be approximately \$1,500.00.