Town of Harrison

RECALL ORDINANCE FOR MUNICIPAL ELECTED OFFICIALS

ADOPTED: July 14, 2020
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TOWN OF HARRISON

SECTION 1 - AUTHORITY

This Ordinance is adopted pursuant to Title 30-M.R.S.A. Section 2602 (6)

SECTION 2 - APPLICABILITY

Any elected municipal official, except for school board members, of the Town of Harrison may be recalled and removed from office as herein provided for.

SECTION 3 - PETITIONS FOR RECALL

The petition for recall must contain only signatures of the registered voters of the Town of Harrison, equal to twenty-five percent (25%) of the number of votes cast in the last Gubernatorial election but in all cases no less than twenty-five (25).

A. The petition shall be addressed to those members of the Board of Selectmen having no interest in the subject matter of the petition, if petition for the recall of all Selectmen are submitted, then the petition will be addressed to the Town Clerk.

B. The petition shall contain the name of the person, address and contact information of the person filing the petition. Only a person registered to vote in the Town of Harrison may file a petition to recall an elected municipal official.

C. The petition shall state the name and office of the person whose removal is being sought.

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 Town 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 their 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 Title 30-A MRSA §2528, to be held not less than 45 days 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 Board of Selectman fails or refuses to order an election as herein provided, the Town Clerk shall call the election to be held not less than 45 days nor more than 60 days following the Board of 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 (10) days of receipt of the petition by the Board of Selectmen or Town Clerk, the ballots shall be printed and shall read, “Do you authorize the recall of ______________ from the position of ______________?”

SECTION 7 - RESULT OF ELECTION

In the event of an affirmative vote for removal, such 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 removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes.