

Passed at  
Town Meeting  
3-5-05

Attached to be a  
true copy of.  
Mary E. Hutchins

## Ordinance for the Recall of Elected Municipal Officers

### Section 1. Establishment

Under MRSA Title 30-Section 2602 (6) amended Oct. 13, 1993 may enact an ordinance for the recall and removal of the elected municipal officers with the exception of the school board members as noted in MRSA 30-a section 2602.

### Section 2. Applicability

Any elected selectmen or assessor of the Town of New Portland 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 New Portland, equal to twenty percent (20 %) of the number of votes cast in the last gubernatorial election but in all cases no less than twenty.
- b. The petition shall be addressed to those members of the board of selectmen having no interest in the subject matter of the petition.
- c. The petition shall state the name and office of the person whose removal is being sought, and 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 the 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 the 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 the Selectmen at their next 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 30-A MRSA 2528, to be held not less than thirty (30) nor more than sixty (60) days thereafter, provided that a regular municipal election will not be held within ninety (90) days of the 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 fails or refuses to order an election as herein provided, the town clerk shall call the election to be held not less than thirty (30) days nor more than sixty (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 (10) 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.

## Section 7. Results of Election

In the event of an affirmative vote for removal, such vote shall take effect at the same time 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.

Given under our hand this ( date )  
Selectmen Signatures

Adopted by voters the ( date)