

ARTICLE 8.
NOMINATIONS AND ELECTIONS

Sec. 8-6. Application of State Laws.

Except as expressly provided in the charter and authorized by state law, all city **elections shall be governed by the laws of the Commonwealth** relating to the composition, powers, and duties of the election commission, the right to vote, the registration of voters, the nomination of candidates, the conduct of preliminary, regular, and special elections, the submission of charter amendments and other propositions, the counting of votes and the declaration of results.

Sec. 8-1. Nonpartisan Elections.

All elections of City officers shall be **nonpartisan**, and election ballots or ballot labels for such officers shall be printed without any party mark, emblem, or designation whatsoever.

Sec. 8-2. Regular City Elections.

(a) **Date**—The regular city election shall be held on the **first Tuesday following the first Monday in November** in each odd-numbered year.

(b) **Ballot Position**—The order in which names of candidates appear on the ballot for each office in a regular city election shall be determined **by a drawing by lot conducted by the election commission.**

(c) **Information to Voters**—If the candidate in a regular city election is an incumbent of the office to which the candidate seeks election, against the candidate's name shall appear the phrase "**Candidate for Re-election**".

Should this item be tabled?

Sec. 8-5. Wards.

The territory of the city shall be divided into **eight wards.**

Sec. 8-3. Preliminary Elections: Special Elections.

(a) **Date**—For each regular city election and any special election called to fill a **vacancy in the office of mayor, there shall be held a preliminary election** for the purpose of nominating candidates. The city council shall set the date for each preliminary election.

***(b) Signature Requirements**—The number of signatures of voters required to place the name of a candidate on the official ballot to be used at a preliminary election, or any special election for an office other than mayor, shall be as follows: **for the office of mayor, four hundred signatures; for councilor at large, one hundred fifty signatures; for ward alderman, fifty signatures from the ward in which the election is to be held; for school committee member, one hundred fifty signatures.**

(c) **Ballot Position**—The order in which names of candidates appear on the ballot for each office shall be determined by a **drawing by lot conducted by the election commission.**

(d) **Information to Voters**—Every petition requesting the placement of the name of a candidate for nomination on the official ballot for use at a preliminary election, or for use at any special election for an office other than mayor, may state in **not more than eight words the elected public offices which the candidate for nomination holds or has held.** Against the name of any such candidate there shall be printed on the official ballot for a preliminary election, or any special election for an office other than mayor, the statement contained in the petition.

***(e) Proviso**—If at the expiration of the time for filing petitions for nomination of candidates for any preliminary election, **not more than twice as many such petitions have been filed for an office as are to be elected to such office,** the candidates whose petitions have been filed shall be deemed to be nominated to said office. **Their names shall be voted on for such office at the succeeding regular or special election.** The Election Commission shall not print said names upon the ballot used at said preliminary election. If ... no names are to be printed on the ballot for a preliminary election in any ward or wards of the city, no preliminary election shall be held in these ward or wards.

***Sec. 8-4. Special Elections.**

Special elections to fill the office of councilor, mayor or school committee member shall be **held within 120 days following the date on which the election is called**. Persons elected at the elections shall immediately be sworn and assume their office.

***Section 4-6: Vacancy on the School Committee**

If there is a vacancy... on the school committee **within the first 15 calendar months of the term** for which school committee members are elected, the city council shall forthwith call **a special election** to fill the vacancy.

If the **vacancy shall occur after 15 calendar months of the term** for which school committee members are elected, **no special election shall be held** and the person elected at the next regular city election to the seat in which the vacancy exists shall immediately be sworn and shall, in addition to the term for which the member was elected, serve for the balance of the then-unexpired term.

***Sec. 3-10. Vacancy in the Office of the Mayor.**

If a vacancy occurs in the office of the mayor... at any time **preceding the last 9 calendar months of the term** for which the mayor was elected, the city council shall forthwith call **a special election** to fill the vacancy for the remainder of the unexpired term.

If a vacancy occurs in the office of the mayor **during the last 9 calendar months** of the term for which the mayor was elected, the clerk of the council shall forthwith **call a special meeting of the city council and the city council shall by majority vote of the full council elect 1 of its members as acting mayor for the remainder of the unexpired term.**

If the city council fails to elect an acting mayor...within 30 days of the date of the meeting called by the clerk of the council, the president of the city council shall become acting mayor, shall exercise all the rights and powers of the mayor and shall be sworn to the faithful performance of the duties of the office. Upon the election and qualification of any member of the city council as acting mayor under this section, a vacancy shall exist in the member's council seat. **The restriction contained in section 3-1 relative to holding other office or actively engaging in a business, occupation or profession shall not apply to an acting mayor holding office under this section.** (The removal from residency within the city shall create a vacancy in the office.)

Should this item be tabled until after the deliberations on Art. 2, 3, and 4?

***Sec. 2-5. Filling of Vacancies: City Council**

(a) Special Election—If there is a **vacancy... on the city council within the first 15 calendar months** of the term..., the city council shall forthwith call **a special election** to fill the vacancy. The election shall be by the voters of the whole city in the case of councilors at large or by the voters entitled to such representation in the case of ward councilors.

If a **vacancy shall occur after 15 calendar months** of the term for which councilors are elected, **no special election** shall be held. In the case of a **vacancy in the office of ward councilor**, the **person elected at the next regular city election** to the seat in which the vacancy exists shall immediately be sworn and shall...serve for the balance of the unexpired term. In the case of a **vacancy in the office of councilor at large**, the **person elected at the next regular city election to the seat in which the vacancy exists** shall immediately be sworn (If no incumbent councilor at large from the ward in which the vacancy exists is elected at the election for such office, the candidate who receives the highest number of votes shall be deemed to be elected to the seat in which the vacancy exists and shall serve as aforesaid.)

Charter language for 8-3e: Proviso—If at the expiration of the time for filing petitions for nomination of candidates to be voted for any preliminary election, not more than twice as many such petitions have been filed for an office as are to be elected to such office, the candidates whose petitions have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the succeeding regular or special election, as the case may be, and the Election Commission shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

