

ARTICLE ~~X~~
NOMINATIONS AND ELECTIONS

Comment [JK1]: FORMERLY ARTICLE 8

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Sec. X-1. ~~Nonpartisan~~ General Provisions for All Elections.

~~All (a) e~~ Elections of ~~C~~ 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~~.

(b) Signature Requirements—The number of signatures of voters in the city required to place the name of a candidate on the official ballot to be used at an preliminary election, ~~or any special election for an office other than mayor,~~ shall be as follows:

Comment [JK2]: Relocated from §8-3

(1) for the office of mayor; ~~four hundred~~ 400 signatures;

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(2) for councilor at large; ~~one hundred fifty~~ 150 signatures;

Comment [JK3]: LIST ALL OFFICES ELECTED BY CITY IN AN AT-LARGE FASHION

(3) for ward alderman councilor, ~~fifty~~ 50 signatures from the ward district in

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which the election is to be held; ~~for school committee member, one hundred fifty signatures.~~

Comment [JK4]: Office elected within a WARD or OTHER MORE LOCALLY DEFINED REGION

(c) Ballot Position— The election commission shall randomly draw lots to determine the order in which names of candidates shall appear on the ballot for each office.

Sec. X-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".~~

Sec. X-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.

Comment [JK5]: HOLD pending R.O..V. research

~~(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 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.

Comment [JK6]: TABLE – pending outcome of research on R.O.V.

Sec. ~~X8~~-4. Special Elections.

~~The city council shall set the date for a s~~Special elections to fill the office of councilor, mayor or school committee member as provided in sections ~~2-5, 3-10 and 4-6~~; ~~provided that the date~~ shall be held within 120 days ~~following after~~ the date on which the election is called. ~~A P~~persons elected at ~~the a special~~ elections shall immediately be sworn and assume th~~at e~~ir office.

Comment [JK7]: Double check references when done.

Sec. ~~X8~~-5. Wards.

~~The territory of the city shall be divided into eight-8~~ wards.

Comment [JK8]: HOLD PENDING 2-3-4 DELIBERATION

Sec. ~~X8~~-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.

Comment [JK9]: May need to remove pending research on Rank Order Voting.

ARTICLE Y3.
EXECUTIVE BRANCH

Sec. Y3-9. Temporary Absence from the Office of the Mayor.

~~Whenever~~ If by reason of sickness, absence from the city, death, resignation, removal from office, failure to elect or ~~other cause~~otherwise, the mayor ~~shall be is~~ unable to ~~attend to the perform the~~ duties of the office of the mayor, the president of the city council ~~or the vice president of the city council in the event of the president's disability through sickness or absence~~ shall, as acting mayor, possess the powers of the mayor only in those matters ~~not admitting of delay~~requiring immediate attention, but the acting mayor shall have no power to make permanent appointments. If neither the mayor nor the president of the city council is unable to perform the duties of the office of the mayor, the vice-president of the city council shall possess the powers of acting mayor.

During any period in which the president or the vice-president of the city council is serving as acting mayor, the acting mayor shall not serve as the presiding officer of the city council.

~~The restriction contained in section Y3-1 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.~~

Sec. Y3-10. Permanent Vacancy in the Office of the Mayor.

If a permanent vacancy occurs in the office of the mayor, ~~by death, resignation, removal from office, failure to elect or otherwise~~ 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 acting mayor shall serve as mayor, with all of the powers and duties of the office of the mayor~~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 as aforesaid 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 until the next election for mayor is held. Upon the certification of the results from the election the person elected to be mayor shall be immediately sworn and begin serving as mayor and the new mayor shall-~~, in addition to the term for which the member was elected, serve for the balance of the then-unexpired term

Comment [JK10]: Immediately?

~~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.

ARTICLE ~~Z~~4.
SCHOOL COMMITTEE

Sec. ~~Z~~X-X. Filling of Vacancies.

(a) If ~~there be~~ a vacancy occurs, by failure to elect, removal from the city, death, resignation or otherwise, on the city council or school committee at any time before the final 9 months of the term for which the councilor or ~~within the first 15 calendar months of the term for which~~ school committee members ~~are was~~ elected, the city council shall forthwith call a special election to fill the vacancy. The election shall be by the voters of the whole city.

Comment [JK11]: If we add in RECALL – factor in

Comment [JK12]: Timing still a question.

Comment [JK13]: Need to coordinate with definition of districts. If Ward councilors, need to add language.

(b) If ~~the a~~ vacancy ~~shall~~ occurs ~~after 15 calendar~~ within the final 9 months of the term for which a city councilor or school committee members ~~are is~~ 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.

Comment [JK14]: Keep?