

ARTICLE II. ELECTIONS*

Sec. 1. District.

The town shall consist of one district.

Sec. 2 . Term Limits.

All elected officials shall serve terms that shall not exceed eight (8) consecutive years commencing on December 1, 2020.

Sec. 3. Regular, special elections; recall.

(a) A regular town election shall be held on the first Tuesday after the first Monday in November in even-numbered years. A special election may be held at any time at the order of the town council, or as otherwise provided in this charter.

(b) Recall. An elected official holding a town office, having been in office for at least six (6) months, may be removed from office by a recall petition prepared and approved by the voters of the town in the manner hereinafter provided for recall procedure.

Upon application by a registered voter, the Town Clerk shall issue the recall petition blanks, which shall be dated, which shall demand the removal of the designated elected official, and which shall state the cause upon which the removal is sought. Including but not limited to, the following reasons shall constitute cause for recall: (1) willful violation of any provisions of the Town Charter or Ordinance, (2) conviction of a felony, (3) willful neglect of duties, (4) corrupt or willful malfeasance in office and (5) willful misconduct to the injury of the public service. The petition is to be filed with the Town Clerk within thirty (30) days after issuance to be in order for the certification process.

The signatures to a recall petition need not all be appended to one paper but each signer shall add the signer's signature, as it appears on the Board of Canvassers and Registration's records, and the signer's place of residence, giving the street and number or other sufficient designation if there be no street and number. One of the signers shall take an oath before an officer competent to administer oaths that the statement therein made is true, as the signer believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

The recall petition, as it pertains to a town-wide office holder, shall be signed by at least thirty (30) percent of the votes cast in the most recent election for the office held by the official named in the petition.

The petition is to be submitted by the Town Clerk to the Board of Canvassers and Registration for certification forthwith. If the petition shall be found and certified by the Board of Canvassers and Registration to be sufficient, within ten (10) days the board shall submit the same with its certificate to the Town Council without delay; the Town Council shall order an election to be held on a Tuesday fixed by it not more than seventy-five (75) days after the date of the Board of Canvassers and Registration's certificate that a sufficient petition is filed. However, if any other

town election is to occur within one hundred twenty (120) days after the date of the certificate, the Town Council shall postpone the holding of the recall election to the date of such other election. (Amend. of 11-4-2014; Amend. of 11-6-2018)

***State law reference**—Opening and closing times of polls, G.L. 1956, §§ 17-18-10, 17-18-11.

Sec. 3. Commencement of terms.

The term of office of all town officers elected by the people at a regular municipal election shall date from 8:00 p.m. local time, on the first day of December in the year of their election. The term of office of all town officers elected by the people at a special municipal election shall date from the tenth day following the election.

Sec. 4. Petitions.

Each candidate for elective office in the town shall be a qualified elector of the town. Candidates for election may be nominated by petition signed by not less than 50 qualified electors of the town.

Petitions for the nomination of candidates shall be filed with the canvassing authority of the town at such times and upon such forms as shall comply with state law. Said information shall be available at the town clerk's office.

Each nominating petition shall state the name of the office and set forth the name and place of residence of the candidate thereby nominated. Declarations of candidacy must be filed with the canvassing authority at such time or times set forth in state law and by the Rhode Island Secretary of State.

Every voter signing a nominating petition shall indicate thereon his place of residence and street number, if any. No voter shall sign petitions for more candidates than shall be allowed by state law and, should he do so, his signature shall be counted only upon the first petition or petitions filed and shall be void upon all other petitions.

Before a nominating petition may be filed with the canvassing authority there shall be filed with said canvassing authority an acceptance of the nomination in writing, signed by the candidate, which shall certify that the nominee consents to stand as a candidate and that if elected he agrees to take office and serve.

Each nominating petition shall be verified by an oath or affirmation of one or more of the persons circulating the petition, taken and subscribed before a person qualified to administer an oath, to the effect that the petition was signed by each of the signers thereof in the handwriting of the signer.
(Amend. of 11-2-2010)

Sec. 5. Canvassing authority certification.

Upon receiving a nominating petition and statement of acceptance of any candidate, the canvassing authority of the town shall then certify to the validity of any petition having a sufficient number of proper signatures. The canvassing authority shall certify a list of candidates and shall cause to be published in one or more newspapers having a general circulation in the town the names and addresses of the candidates who have duly filed valid nominating petitions and acceptances.

Sec. 6. Ballot arrangement.

The ballot for town elections shall contain the names of the candidates arranged by the offices to be voted for and listed alphabetically under the title of the office. No name or designation shall appear upon the ballot other than the name and address of each candidate.

Sec. 7. Primary election procedures.

A primary election to determine the candidates to be voted upon at the subsequent town election, whether regular or special, shall be held in accordance with state law.

At the primary election the number of candidates equal to twice the number of places to be filled at the regular or special town election who shall receive the greatest number of votes shall be declared nominated as candidates for office.

An additional candidate or candidates beyond the limitation imposed by this section 7 of this charter shall be declared nominated at the primary election whenever a candidate receiving the least number of votes qualifying him as a candidate for office shall receive the same number of votes as another candidate or candidates. In such event all candidates receiving the same number of votes shall be declared nominated.

If the number of candidates certified for any elective office does not exceed twice the number of places to be filled at the election, then no primary election shall be held for such office. (Amend. of 11-2-2010)

Sec. 8. Declaration of elected candidates.

At any town election other than a primary election, the person or persons receiving the greatest number of votes for an office, not exceeding the number of persons to be chosen, shall be declared elected to the office.

The votes shall be counted and the result of the election declared by the canvassing authority of the town in the manner provided for other elections.

Sec. 9. Miscellaneous requirements.

The council by ordinance shall provide for nominations, primaries and elections for town offices or for questions on local matters, except as otherwise required by this charter.

The residents of the town having the qualifications of electors in the state shall be electors of the town.

No person may be a candidate for more than one elective office at any one town election.

Sec. 10. Board of canvassers and registration.

There shall be a bipartisan canvassing authority elected by the town council as provided by the constitution and laws of the state. Said canvassing authority shall be known as the board of canvassers and registration and shall be vested with all the powers and duties now or hereafter vested by law in the canvassing authority or board of registration of the town. All members of said authority or board now in office shall continue in said positions as members thereof until the expiration of the term for which they were chosen.

***State law references**—For such powers and duties, see G.L. 1956, § 17-8-5; violation by board, statutory penalty, § 17-8-8.