

TOWN OF MERCER
ORDINANCE FOR THE RECALL OF ELECTED MUNICIPAL OFFICIALS

SECTION 1. Applicability and Establishment

Any elected Official of the Town of Mercer may be recalled and removed from office as herein provided.

SECTION 2. Petitions for Recall

- a. Recall shall be initiated by petition.
- b. The petition for recall must contain only signatures of the registered voters of the Town of Mercer, equal to twenty percent (20%) of the number of votes cast in Mercer in the last Gubernatorial election.
- c. The petition shall be addressed to those members of the Board of Selectmen having no interest in the subject matter of the petition, but the petition shall in every case, be filed with the Town Clerk or Deputy Town Clerk.
- d. The petition shall state the name and office, or offices, of the person whose removal is being sought.
- e. If recall of more than one official is being sought there shall be a separate petition for each official whose removal is being sought.
- f. Each page of the petition shall be ruled, and each line shall provide a space for the voters' signatures, address and printed name.
- g. All pages of a single petition shall be filed as one document. The Town Clerk or Deputy Town Clerk shall not file the petition until at least one person supplies contact information on behalf of the petitioners.

SECTION 3. Clerk's Certification

Within ten (10) calendar days of receipt of the petition the Town Clerk or Deputy Town Clerk shall certify the signatures contained on the petition and shall determine if the petition meets all of the requirements as set forth in Section 2 of this Ordinance. Should the petition be found insufficient, the petition will be retained in the Town Clerk's Office and the person who filed the petition will be notified.

SECTION 4. Calling the Recall Election

- a. If the petition is certified by the Town Clerk or Deputy 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 Board of 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 S2528, to be held forty-five (45) days thereafter.

c. No petition for recall will be accepted during the first ninety (90) days or during the last ninety (90) days if a multi-year term.

d. Once a recall petition has been called and failed, no recall may be filed within ninety (90) days after such vote.

SECTION 5. 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 FROM THE OFFICE OF _____?" (with the name of the official whose recall is being sought inserted in the blank space). If the petition seeks the recall of a person from more than one office, each office must be named.

SECTION 6. Result of the Election

In an event of an affirmative vote for removal, such vote shall take effect the day following the day of voting.


SECTION 7. Vacancies to be Filled

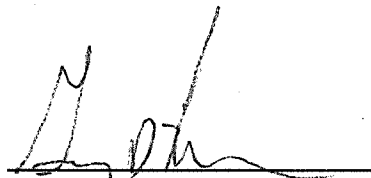
Any vacancy resulting from the removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes.

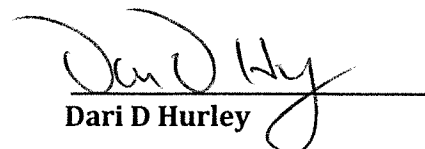
Adopted at Annual Town Meeting _____

Given under our hands this 9th day of April, 2020

Mercer Municipal Officers


Ricky J Parlin


Gary D Mosher


Dari D Hurley