

TOWN OF HAMPSTEAD  
ORDINANCE NO. 555

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE TOWN OF HAMPSTEAD TO UPDATE PROCEDURES FOR VOTER REGISTRATION AND CANDIDATE PARTICIPATION IN ORDER TO TAKE PART IN TOWN OF HAMPSTEAD MUNICIPAL ELECTIONS.

WHEREAS, the Charter of the Town of Hampstead gives the Town Council power to regulate elections, and;

WHEREAS, many changes have been made to voter registration procedures in the thirty years since the Code was last amended, and;

WHEREAS, the Town of Hampstead has in place a procedural process which allows all eligible residents the ability to run for office in a municipal election;

WHEREAS, the fair and orderly process of nomination and election of candidates is best served by a formal certification and appeal process, and;

WHEREAS, the Mayor and Council received comments at a public hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMPSTEAD:

**Section One: That Chapter 9, Article 1 of the Hampstead Town Code be amended as follows:**

**§ 9-1 Supplemental registration.  
[Amended 3-15-1993 by Ord. 234]**

- A. In addition to registration for municipal elections as provided for by state law, the Town shall maintain a supplemental voter registration list. For that purpose, the Town Manager ~~may continuously register voters during~~ shall make paper voter registration applications available for voters during regular business hours at the Town office and the Board of Supervisors of Elections shall cause applications to be made available upon request in order to permit registration by mail; provided, however, that no person may so register within 30 days prior to any Town election. Paper applications must be mailed to the County Board of Elections upon completion of the form.
- B. A person may also register to vote on-line by accessing the Maryland Online Voter Registration System (OLVR) at Voter Registration (maryland.gov).
- C. Persons shall be eligible for registration, provided that they meet the constitutional qualifications of a voter as provided for by state law, as now or hereafter in force, and reside

within the Town limits.

- D. The Board of Supervisors of Elections shall have supervision over supplemental registrations and shall be responsible for ~~the preparation or approval of all forms for registration and~~ the format of the supplemental registration list.
- E. The Board of Supervisors of Elections shall have the duty of keeping the supplemental registration list current by removing therefrom the names of persons known to have died, to have moved outside of the Town limits or to have become constitutionally unqualified to vote. Said Board shall give notice of the removal of any voter as required by state law.

#### § 9-2 (Reserved)

#### § 9-3 Method of registration; application forms; duties of Secretary.

- A. There shall be a continuous registration of qualified persons, except that no registration application may be accepted within 30 days of the date of any special or general election. Registration may be applied for in person at the Town office at any time during regular business hours, and the Board of Supervisors of Election shall cause applications to be made available upon request in order to permit registration by mail. A person may also register to vote on-line by accessing the Maryland Online Voter Registration System (OLVR) at Voter Registration (maryland.gov). [Amended 3-15-1993 by Ord. 234]
- B. It shall be the duty of said Board to ~~prepare suitable forms for application for registration, which shall be identical whether the application is filed in person or by mail. Such form shall contain the full name, residence address, date of birth and a statement that the applicant will have resided within the corporate limits of the Town for at least 30 days preceding the next scheduled election~~ to provide paper applications as provided by the Maryland State Board of Elections. The application shall also contain a written affirmation under the penalties of perjury, signed by the applicant, that the information contained thereon is true and correct.
- C. All paper applications for mail in registration shall be submitted to the ~~Clerk to said Board, who, upon being satisfied that the same is correct, is authorized to register such persons. If the Clerk to said Board is not satisfied for any reason as to the correctness of the application or the eligibility of the applicant, the Clerk shall refer the same to said Board, which shall thereupon decide to register the applicant or refuse to register the applicant, subject to the right of appeal provided for in § C5-7 of the Charter.~~ Carroll County Board of Elections for review and approval of voter registration. [Amended 3-15-1993 by Ord. 234]

#### § 9-4 Permanent registration.

Any person who registers or reregisters after the enactment of this article shall not be required to register again unless ~~his or her~~ their registration shall be canceled as hereafter provided or unless, by ordinance, the Council requires another reregistration of all voters.

#### § 9-5 Cancellation of registration.

The Board of Supervisors of Elections may undertake to cancel the registration of any voter upon being informed or learning that the voter is dead or is no longer a resident of the Town. Before

canceling any registration, the ~~Board~~ Carroll County Board of Elections Office shall cause to be mailed to the address of said voter, as it appears on the registration records, a notification of its proposed action requiring the voter to show cause within two weeks after mailing why the registration should not be canceled. If no sufficient cause is shown, the Board shall thereupon cancel the registration of such person.

**§ 9-6 Records.**

The Board of Supervisors of Elections is authorized to maintain registration records in loose-leaf book form, bound form, or card form as it may determine and shall see that ~~a duplicate registration record~~ it is maintained ~~safely~~ securely at all times.

**§ 9-7 Preparation of ballots.**

**[Amended 9-10-2002 by Ord. No. 362]**

- A. Promptly, following the close of nominations for office, the Board of Supervisors of Elections shall cause to be prepared such number of ballots as shall be not fewer than the then-total number of registered voters, with the names of candidates in alphabetical order for the office sought. All ballots shall be delivered to the Board or the Board's representative and secured until the opening of the polls on the election day, at which time they shall be delivered to said Board.
- B. ~~Each ballot shall contain a number of blank lines equal to the number of open seats to provide for write-in candidates. To be counted, a vote for a write-in candidate must be legible, contain the first and last name of the candidate and be written upon a ballot judged to be valid by the Board of Supervisors of Elections.~~

**§ 9-8 Absentee ballots.**

- A. Any person desiring to vote by absentee ballot may apply therefore in person or in writing to the Secretary to the Board, and, if the application is in writing, it shall state the voter's home address. The Secretary, upon being satisfied that the applicant is a registered voter, shall deliver personally or by mail to the applicant one of the ballots prepared by the Board, upon which the Secretary shall affix by a stamp to be provided by the Board the legend "absentee ballot." The Secretary shall provide an envelope of sufficient size so as to contain the ballot, upon the face of which there shall appear the following: "I \_\_\_\_\_, do hereby swear or affirm that I am a voter legally qualified to vote in the election to be held for the Town of Hampstead on \_\_\_\_\_; that I am legally registered in said Town and that the within ballot was by me marked, folded, enclosed and sealed in this ballot envelope." Said envelope shall also contain on its face a statement to the effect that the ballot shall only be counted if it is delivered in person to the Secretary or to the Board of Supervisors of Election on or before the close of the polls on the date of the election or is mailed to the attention of the Board of Supervisors of Elections, Town Hall, Hampstead, Maryland, in sufficient time to have been actually received prior to the close of polls on the election date.
- B. The Board of Supervisors of Elections shall not open or unfold any absentee ballot prior to the closing of the polls and the beginning of the vote count. Said Board shall separately

count and certify all absentee ballots which it received prior to the closing of the polls. No such ballot shall be rejected except by unanimous vote of the entire Board. All such ballot envelopes and ballots shall be kept separate and apart from ballots cast at the regular voting place or places and shall be preserved for at least six months from the date of the election.

- C. Any absentee ballot voted in favor of a person who has ceased to be a candidate shall not be counted for such candidate, but the remainder of the ballot shall not be invalidated.
- D. Whenever said Board shall determine that any person who voted by absentee ballot died before the day of the election, the Board shall not count the ballot.
- E. If there is more than one absentee ballot in any envelope, all shall be rejected. Absentee ballots may be marked by any kind of pencil or ink.
- F. Any person who obtained an absentee ballot and envelope may nonetheless vote in person, provided that he or she presents his absentee ballot and envelope and the same are destroyed in the presence of at least two members of said Board, which fact shall be noted by the Secretary to the Board on a list to be maintained by ~~him~~ them of all absentee ballots issued.
- G. Under no circumstances shall the Secretary to the Board deliver or mail more than one absentee ballot or envelope to the same voter.

**§ 9-9 Poll watchers.**

Each candidate shall have the right to designate in writing one person, who is a registered voter of the Town, to serve as a poll watcher on ~~his~~ their behalf. Such watcher shall be entitled to be in the polling area in such a position to see each person who offers to vote, and following the closing of the polls, the Board of Supervisors of Elections shall, upon request of any watcher, exhibit any ballot cast in such a manner that the same may be read and examined, but said Board shall not permit ballots to be taken from their hands. It shall be unlawful for any watcher to inquire or ascertain for what candidate or candidates any voter may intend to vote or has voted or the position or vote of any voter on any ballot question or to attempt to assist any person in the preparation of a ballot, and any watcher attempting to do any of said acts may lawfully be ejected by said Board.

**Section Two: Severability.**

Should any provision, section, paragraph or subparagraph of this Ordinance, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable for a court having jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including and code text adopted hereby. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

**Section Three: Section headings, chapter headings, titles.**

Section headings, chapter headings, titles, etc., are for the purpose of description or case of use and do not form a part of the text of this Ordinance or any Code or text adopted hereby.

Introduced this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Jim Roark  
Clerk of the Council

Passed this \_\_\_ day of \_\_\_\_\_, 2024 by a vote of \_\_\_ Council members in favor, \_\_\_ Council members opposed, and \_\_\_ abstentions.

Delivered to the Mayor for his approval or disapproval this \_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Jim Roark  
Clerk of the Council

\_\_\_\_\_  
Christopher M. Nevin  
Mayor

Effective this \_\_\_ day of \_\_\_\_\_, 2024.

Approved as to form  
and legal sufficiency  
this \_\_\_ day of \_\_\_\_\_, 2024.

MICHELLE M. OSTRANDER, ESQ.

BY: \_\_\_\_\_  
Town Attorney

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NOTE: Matter in red and in [brackets] is proposed for deletion from existing law.  
Matter in green and underlined is new material proposed to be added to existing law.