

ELECTIONS*

ARTICLE I. IN GENERAL

ARTICLE II. REGISTRATION APPEALS BOARD*

ARTICLE III. IN GENERAL

CODE OF ORDINANCES

Chapter 6

ELECTIONS*

* **Charter reference(s)**--Nominations and elections, Art. X; initiative and referendum, Art. XI.
State law reference(s)--Elections, generally, 21 M.R.S.A. § 1 et seq.

Art. I. In General, §§ 6-1--6-15

Art. II. Registration Appeals Board, §§ 6-16--6-23

ARTICLE I. IN GENERAL**Sec. 6-1. Voting district one.**

Voting District One shall be that area of the City that is bounded on the north by tidewater; on the east by tidewater; on the south, from the tidewater by and along the Cape Elizabeth town line to the center line of Charlotte Street; thence in a northeasterly direction along the center line of Charlotte Street to its intersection with Phillips Road; thence northwesterly along the center line of Phillips Road to its intersection with Goudy Street; thence northeasterly along the center line of Goudy Street to its intersection with Cottage Road; thence generally westerly along the center line of Cottage Road to its intersection with Pine Street; thence along the center line of Pine Street in a generally northerly direction to the tidewater, all as shown in color on a fractional map entitled District One and attached hereto and more particularly shown in detail, which shall control, on the GIS mapping of the same on file in the City Clerk's office.

(Code 1966, § 1-5-1; Ord. No. 4-72, 4-3-72; Ord. No. 15-81/82, 11-16-81; Ord. No. 1-04/05, 7/19/04 [Fiscal Note: Less than \$1000]; Ord. No. 6-13/14, 2/19/14 [Fiscal Note: Less than \$1000])

Sec. 6-2. Voting district two.

Voting District Two shall be that area of the City that is bounded on the north by tidewater; on the east from the tidewater to the center line of Pine Street running in a generally southerly direction to its intersection with Cottage Road; thence easterly along the center line of Cottage Road to its intersection with Goudy Street; thence southwesterly along the center line of Goudy Street to its intersection with Phillips Road; thence southeasterly along the center line Phillips Road to its intersection of Charlotte Street; thence southwesterly along the center line of Charlotte Street to the Cape Elizabeth town line; on the south, by the Cape Elizabeth town line; on the west, from the Cape Elizabeth town line by the center line of Sawyer Street running in a generally northwesterly direction to its intersection with Whitworth Drive; thence in a northeasterly direction on Whitworth Drive to half way around the round-about (the southwest corner of now-current (April 2013) Assessor's Map 23, Lot 69); thence in a northwesterly direction to the centerline of Simmons Road to its intersection with Ocean Street; thence continuing in a southerly direction along the center line of Ocean Street to its intersection with Bellaire Road; thence northeasterly along the centerline of Bellaire Road, continuing to its intersection with Beaufort Street; thence through the centerline of Beaufort Street to its intersection with Boothby Avenue; thence northerly along the centerline of Boothby Avenue to its intersection with Highland Avenue; thence southwesterly along the centerline of Highland Avenue to its intersection with Anthoine Street; thence northerly along the center line of Anthoine Street to its intersection with Broadway, continuing straight across Broadway to the Greenbelt Walkway; thence west on the Greenbelt Walkway to the wooden bridge structure over Anthoine Creek; thence to the tidewater, all as shown in color on a fractional map entitled District Two and attached hereto and more particularly shown in detail, which shall control, on the GIS mapping of the same on file in the City Clerk's office.

(Code 1966, § 1-5-2; Ord. No. 4-72, 4-3-72; Ord. No. 15-81/82, 11-16-81; Ord. No. 21-92/93, 5-3-93; Ord. NO. 1-04/05, 7/19/04 [Fiscal Note: Less than \$1000]; Ord. No. 6-13/14, 2/19/14 [Fiscal Note: Less than \$1000])

Sec. 6-3. Voting district three.

Voting District Three shall be that area of the City that is bounded on the north by tidewater; on the east from the tide water to the Anthoine Creek wooden bridge structure on the Greenbelt Walkway, continuing east on the Greenbelt Walkway to where Broadway intersects with Anthoine Street; thence crossing Broadway and continuing south along the center line of Anthoine Street to its intersection with

Highland Avenue; thence along the centerline of Highland Avenue in a northeasterly direction to its intersection with Boothby Avenue; thence along the centerline of Boothby Avenue in a southeasterly direction to its intersection with Beaufort Street; thence along the center line of Beaufort Street in a southwesterly direction to the intersection of Bellaire Road, continuing along the center line of Bellaire Road to its intersection with Ocean Street; thence along the center of Ocean Street in a northerly direction to Simmons Road; thence along the centerline of Simmons Road to its southwesterly terminus; thence in a southwesterly direction to the round-about on Whitworth Drive along the southwest corner of the now-current (April 2013) Assessor's Map 23, Lot 69; thence southeasterly along the centerline of Whitworth Drive to its intersection with Sawyer Street; thence along the centerline of Sawyer Street to the Cape Elizabeth town line; on the south, by the Cape Elizabeth town line; on the west, by center line of Fickett Street from the Cape Elizabeth town line to its intersection with Hillcrest Avenue; thence southwesterly along the centerline to its intersection with Dresser Road; thence northwesterly on Dresser Road to its intersection with Highland Avenue; thence northeasterly along the center line of Highland Avenue to its intersection with Alfred Street; thence in a generally northerly direction on Alfred Street to its intersection with Evans Street; thence northwesterly on Evans Street to its intersection with Broadway; thence westerly along the centerline of Broadway to its intersection with Dawson Street; thence along the centerline of Dawson Street to its intersection with Interstate 295; thence along the center line of Interstate 295 in a generally northeasterly direction to the tidewater, all as shown in color on a fractional map entitled District Three and attached hereto and more particularly shown in detail, which shall control, on the GIS mapping of the same on file in the City Clerk's office.

(Code 1966, § 1-5-3; Ord. No. 4-72, 4-3-72; Ord. No. 15-81/82, 11-16-81; Ord. No. 28-85/86, 3-3-86; Ord. No. 21-92/93, 5-3-93; Ord. No. 1-04/05, 7/19/04 [Fiscal Note: Less than \$1000]; Ord. No.6-13/14, 2/19/14 [Fiscal Note: Less than \$1000])

Sec. 6-4. Voting district four.

Voting District Four shall be that area of the City that is bounded on the north beginning at the Scarborough town line, along the center line of Main Street running in a northeasterly direction to its intersection with Westbrook Street; thence in a generally northwesterly direction along the center line of Westbrook Street to its intersection with Daniel P. Tuell Street; thence in a westerly direction along the center line of Daniel P. Tuell Street to its intersection with the now-current (April 2013) Assessor's Map 64, Lot 72; thence along the now-current (April 2013) Assessor's Map 64, Lot 72 boundary line in a generally southeasterly direction and continuing along that boundary line until it intersects with Sandy Hill Road; thence along the center line of Sandy Hill Road to its intersection with Coach Road; thence continuing in a generally southeasterly direction along the center line of Coach Road its intersection with Westbrook Street; thence in a southeasterly direction along the center line of Westbrook Street to its intersection with Wescott Road; thence continuing in a northeasterly direction along the center line of Wescott Road to its intersection with Broadway; thence in a generally easterly direction along the center line of Broadway to its intersection with Evans Street; thence in a southeasterly direction along the center line of Evans Street to its intersection with Alfred Street; thence in a southwesterly direction along the center line of Alfred Street to its intersection with Highland Avenue; thence in a southwesterly direction along the center line of Highland Avenue to its intersection with Dresser Road; thence in a southeasterly direction along the center line of Dresser Road to its intersection with Hillcrest Avenue; thence in a northeasterly direction along the center line of Hillcrest Avenue to its intersection with Fickett Street; thence in a generally southeasterly direction along the center line of Fickett Street to the Cape Elizabeth town line; thence in a southwesterly direction along the Cape Elizabeth town line to the Scarborough town line; thence continuing in a northwesterly direction along the Scarborough town line to where it intersects with Main Street, all as shown in color on a fractional map entitled District Four and attached hereto and more particularly shown in detail, which shall control, on the GIS mapping of the same on file in the City Clerk's office.

(Code 1966, § 1-5-4; Ord. No. 4-72, 4-3-72; Ord. No. 15-81/82, 11-16-81; Ord. No. 28-85/86, 3-3-86; Ord. No. 1-04/05, 7/19/04 [Fiscal Note: Less than \$1000]; Ord. No. 6-13/14, 2/19/14 [Fiscal Note: Less than \$1000])

Sec. 6-5. Voting district five.

Voting District Five shall be that area of the City lying westerly of the following described line: beginning on Main Street at the Scarborough town line; thence in a generally northeasterly direction by and along the center line of Main Street to its intersection with Westbrook Street; thence in a generally northwesterly direction along the center line of Westbrook Street to its intersection with Daniel P. Tuell Street; thence in a generally southwesterly direction along the center line of Daniel P. Tuell Street to its intersection with the now-current (April 2013) Assessor's Map 64, Lot 72; thence along the now-current (April 2013) Assessor's Map 64, Lot 72 boundary line in a generally southeasterly direction and continuing along that boundary line until it intersects with Sandy Hill Road; thence along the center line of Sandy Hill Road to its intersection with Coach Road; thence continuing in a generally southeasterly direction along the center line of Coach Road to its intersection with Westbrook Street; thence in a southeasterly direction along the center line of Westbrook Street to its intersection with Wescott Road; thence continuing in a northeasterly direction along the center line of Wescott Road to its intersection with Broadway; thence continuing in a easterly direction along the center line of Broadway to its intersection with Dawson Street; thence northwesterly by and along the center line of Dawson Street to its intersection with Interstate 295; thence along the center line of Interstate 295 in a generally northeasterly direction to the tidewater, all as shown in color on a fractional map entitled District Five and attached hereto and more particularly shown in detail, which shall control, on the GIS mapping of the same on file in the City Clerk's office.

(Code 1966, § 1-5-5; Ord. No. 4-72, 4-3-72; Ord. No. 25-79/80, 4-23-80; Ord. No. 15-81/82, 11-16-81; Ord. No. 28-85/86, 3-3-86; Ord. No. 1-04/05, 7/19/04 [Fiscal Note: Less than \$1000]; Ord. No. 6-13/14, 2/19/14 [Fiscal Note: Less than \$1000])

Secs. 6-6--6-15. Reserved.

ARTICLE II. REGISTRATION APPEALS BOARD*

 * **Charter reference(s)**--Board of registration, § 219.
State law reference(s)--Board of registration, 21 M.R.S.A. § 43.

Sec. 6-16. Created.

A Registration Appeals Board is hereby created.

(Code 1966, § 2-19-1; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-17. Composition.

There shall be three (3) members appointed to the Registration Appeals Board.

(Code 1966, § 2-19-3; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-18. Qualifications of members.

One qualified for membership on the Registration Appeals Board shall be a resident and legal voter of South Portland. He/she shall not hold any state, county or local office, nor shall he/she be a candidate thereof at any election, primary election or caucus so long as he/she shall continue as a member of the board. The two (2) members of the board nominated by the political committees of the major political parties and appointed by the city council may be members of the political committee nominating them and may be members of a state or county delegation to a political convention.

(Code 1966, § 2-19-6; Ord. No. 15-79/80, 2-4-80; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-19. Appointment of members.

- (a) One member shall be nominated by the city clerk and appointed by the city council.
- (b) The municipal officers shall appoint each nominee of the city committees of the two (2) major political parties.

(Code 1966, § 2-19-3; Ord. No. 15-79/80, 2-4-80)

Sec. 6-20. Tenure.

The tenure of members on the Registration Appeals Board shall be four (4) years for the city clerk's nominee and three (3) years for the municipal officers' appointees.

(Code 1966, § 2-19-4; Ord. No. 15-79/80, 2-4-80; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-21. Vacancies.

- (a) Where there is a vacancy on the Registration Appeals Board, the municipal officers shall appoint a qualified person, who shall be nominated by the party whose member's seat has been vacated. However, where there is a vacancy in the office of the chairman of the board, the city clerk shall nominate and the city council shall appoint a qualified person to fill the vacancy.
- (b) Vacancies shall be filled for the duration of the term of the vacating member.

(Code 1966, § 2-19-5; Ord. No. 15-79/80, 2-4-80; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-22. Chairman.

The chairman of the Registration Appeals Board shall be the member of the board nominated by the city clerk and appointed by the city council.

(Code 1966, § 2-19-3; Ord. No. 15-79/80, 2-4-80; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-23. Duties.

The duties of the Registration Appeals Board shall be to:

- (1) Hear appeals of the registrar's decision to:
 - a. remove a name from the voting list, or
 - b. refuse to place a name on the voting list.
- (2) Perform such other duties as may be prescribed by law.

(Code 1966, § 2-19-2; Ord. No. 7-95/96, 8-21-95 [Fiscal note: \$1,026 savings])

Sec. 6-24 to 6-29. Reserved.

ARTICLE III. IN GENERAL

Sec. 6-30. Purpose.

This article is enacted pursuant to Section 1115 of the Charter, which provision authorizes the City Council to enact regulations by ordinance to carry out the provisions of Article XI of the Charter related to citizen initiative and referendum.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])

Sec. 6-31. Petition form.

The petition form used to invoke the initiative or the referendum power shall be prepared by the City Clerk. The form shall include space for the City Clerk to note the issuance and return dates. Upon issuance, the City Clerk shall record the issuance date on each blank form.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])

Sec. 6-32. Petition circulation.

An initiative petition may be circulated for up to sixty (60) calendar days from the date of the City Clerk's issuance of the petition and must be returned to the City Clerk no later than sixty (60) calendar days from the issuance date.

A referendum petition must be circulated and returned to the City Clerk within twenty (20) days after the date of the enactment by the City Council of any ordinance that is subject to a referendum.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])

Sec. 6-33. Number of signatures.

The petition shall be signed by at least 5% of the qualified electors of the City of South Portland at the last regular municipal election.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])

Sec.6-34. Filing of the petition.

Upon return, the City Clerk shall record the return date on each form that comprises the petition. The City Clerk shall also record the name and contact information of the person filing the petition so that the City Clerk may contact the filer once the examination and certification of the petition is complete.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])

Sec. 6-35. Examination and certification of the petition.

Examination and certification of the petition shall be conducted by the City Clerk in accordance with Section 1105 of the Charter.

An initiative petition certified by the City Clerk as insufficient may be amended once to correct deficiencies in the original by the filing of a supplemental initiative petition, which supplemental initiative petition shall, in form and content, comply with the requirements for an original petition, including the requirement that the supplemental initiative petition be filed no later than sixty (60) calendar days from the issuance date of the original petition. Upon the City Clerk's certification of an original initiative petition as insufficient, the City Clerk shall notify the filer as soon as possible of the insufficiency, return the original petition to the filer, and keep a copy of the original initiative petition. Any supplemental initiative petition must be returned to the City Clerk no later than sixty (60) calendar days from the issuance date of the original petition. A supplemental initiative petition certified by the City Clerk as insufficient may not be amended or supplemented.

A referendum petition certified by the City Clerk as insufficient may not be amended or supplemented.

(Ord. No. 20 - 16/17, 6/5/17 [Fiscal Note: Less than \$1,000])