

CHAPTER 25. RECALL OF ELECTED OFFICIALS

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Article 25.1 Authority

This ordinance is adopted pursuant Title 30-A M.R.S.A. Section 2602 (6)

Article 25.2 Applicability

Any Elected Municipal Official, with the exception of School Board Members, of the Town of Rangeley may be recalled and removed from office as provided herein.

Article 25.3 Petitions for Recall

- a. Only registered voters of the Town of Rangeley may sign petitions for recall. To be valid the recall petition shall contain a number of valid signatures equal to twenty-five percent (25%) of the number of votes cast for Governor in the last gubernatorial election in Rangeley.
- b. The petition shall be addressed to those members of the Board of Selectmen who are not subjects of the petition; if petitions for the recall of all Selectmen are submitted, the petitions shall be addressed to the Town Clerk.
- c. The petition shall state the name and office of the person whose removal is being sought and shall list the specific reasons for recall and cite specific examples of behavior for which recall is being sought, consistent with Article 25.8.
- d. If recall of more than one person is being sought, there shall be a separate petition for each person whose removal is being sought.
- e. Each page of the petition shall provide a space for each voter's signature, residence address (NOT a P.O.) and printed name.
- f. All pages of the petition shall be filed as a single document.
- g. At the bottom of each page of the petition, the circulator of that page shall certify that to the best of his or her knowledge, each signature is genuine

Article 25.4 Clerk's Certification

Within ten (10) days of receipt of the petition the Town Clerk shall certify the signatures contained on the petition and shall determine if the petition meets all of the procedural qualifications as set for the in Article 25.3 of this ordinance and has set forth grounds for removal in compliance with Article 25.8. Should the petition be found insufficient, the petition shall be filed in the Town Clerk's office and the voter who filed the petition shall be notified.

Article 25.5 Calling the Recall Election

- a. If the petition is certified by the Town Clerk to be sufficient, the Town Clerk shall submit the same with his or her certification to the Board of Selectmen at the next meeting and shall notify the person or persons whose removal is being sought of such action.
- b. The Selectmen, upon receipt of the certified petition, within ten (10) days, shall order an election by secret ballot pursuant to 30-A MRSA 2528 to be held not less than 45 nor more than 60 days thereafter, unless a regular municipal election is scheduled to be held within 90 days of receipt of the certified petition and in this case the recall election shall occur on the date of the regular municipal election.
- c. In the event that the Selectmen fail or refuse to order an election as herein provided the Town Clerk shall call the election to be held not less than 45 days nor more than 60 days following the Selectmen's failure or refusal to order the required election, except as set forth in Article 25.5(b) above.
- d. If at any time between the time of ordering the election and the date of the election the person whose recall is sought requests a public hearing, the Selectmen shall promptly schedule such a public hearing on the recall election.

Article 25.6 Ballot for Recall Election

Unless the official(s) whose removal being sought resigns within ten (10) days of receipt of the certified petition by the Board of Selectmen, the ballots shall be printed and shall read:

"SHALL _____ BE RECALLED FROM THE OFFICE/ BOARD OF _____ (any elected position)?" with the name of the person whose recall is being sought inserted in the blank space. The Voter shall indicate their choice by a cross, X, or checkmark placed in the appropriate box under the words YES or NO.

Article 25.7 Results of Election

If a fifty-five percent (55%) majority of those voting in a recall election shall vote in favor of recalling such official, such official is thereby removed from office upon certification of the vote by the Town Clerk.

Article 25.8 Grounds for Recall

Grounds for recall: An elected official may be recalled for:

- (a) failure to carry out the duties and responsibilities of the office;
- (b) engaging in conduct which brings the office into disrepute;
- (c) engaging in conduct which displays an unfitness to hold the office; or
- (d) for the conviction of a felony crime under the laws of the State of Maine and/or a felony under the laws of the United States or entry of a plea of guilty to such an offense.

Limitations: (A.) No petition for recall shall be filed against an official who has been in office less than six (6) months, or with fewer than 60 days remaining in office.

(B) If an official has been subjected to a recall election and not removed, no recall petition shall be filed against that official until at least twelve (12) months have passed since said recall election.

Article 25.9 Vacancies to Be Filled

Any vacancy resulting from removal from office under this Ordinance shall be filled in accordance with the provisions of Maine Law.

Article 25.10 Effective Date

This ordinance shall take effect immediately upon enactment by the Municipal Legislative Body at the Annual Town Meeting scheduled for June 16, 2016.