



MAYOR AND COUNCIL AGENDA

MOTION # 26-02-07		DRAFT # 1
DATE SUBMITTED: 2/9/07	DATE TO GO BEFORE COUNCIL: 2/12/07	
SUBMITTED BY: Atteberry/Tartaro/Tierney/Elwood/Gardiner/Matulef		
DEPARTMENT:		
TITLE OF MOTION: Hyattsville Ordinance 2007-03 (Open and Fair Elections) (Chapter 8 – Elections)		
RECOMMENDATION: I move that the Mayor and Council introduce Hyattsville Ordinance <u>2007-03</u> , an Ordinance whereby the City Council makes absentee ballots available for all eligible voters upon a statement that they will be absent or unable to vote on election day, specifies the time for emergency application for absentee ballots and require all campaign materials distributed by candidates to have an authority line and sets the penalty for violation as a misdemeanor.		
BACKGROUND: Due to the hard work and diligence of our City Clerk and Board of Election Supervisors, and other involved volunteers and staff, our recent city elections have run smoothly and efficiently. The city convened an open dialogue forum on November 13, 2006 regarding election practices and procedures where a variety of participants expressed feedback regarding city election practices. Our next city-wide election will be held in May 2007. The above changes are suggested to go into effect prior to this election. Often participation in city elections hovers around 10% of registered voters. Expanding our city's absentee ballot application procedures is one way to potentially increase participation. An issue was raised regarding Americans with Disability requirements and this measure directs appropriate changes to our Charter. The requirement to publish an "authority line" seeks to foster open public discourse.		
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: See Comments below		
CITY ADMINISTRATOR OR DEPARTMENT DIRECTOR/SUPERVISOR COMMENT: It is anticipated that there will be some cost, yet to be determined, to develop the downloadable and printed versions of the application and possible training or increased staff support should large numbers of registered voters shift to using this voting process. Recommend approval.		
FUNCTION AND OBJECTIVES: (Note: Delete the ones that DO NOT pertain to your Agenda Item) Ensure Open Government and Fair Elections, Promote Community Building throughout the City, Promote Efficient and Effective Government Services.		
SUPPORTING DOCUMENTATION: Hyattsville Ordinance 2007-03		
CURRENT YEAR BUDGET IMPACT: Anticipate some minimal cost (see comments above).		

**CITY OF HYATTSVILLE
ORDINANCE 2007-03**

An Ordinance whereby the City Council makes absentee ballots available for all eligible voters upon a statement that they will be absent or unable to vote on election day, specifies the time for emergency application for absentee ballots and require all campaign materials distributed by candidates to have an authority line and sets the penalty for violation as a misdemeanor.

WHEREAS, Maryland Annotated Code, Article 23A, Section 2 grants to municipal corporations of the State of Maryland, including the City of Hyattsville, the power to protect the health, comfort and convenience of their citizens and to enact laws regarding municipal elections; and

WHEREAS, the Mayor and City Council deem it in the best interest of its citizens to make applications for absentee ballots available to its citizens similar to the practice in State and County Elections, and to eliminate scrutiny of the personal circumstances causing such application, so long as the applicant affirms that he/she will be absent or unable to vote; and

WHEREAS, the Mayor and City Council deem it in the interest of its citizens that all campaign materials generated directly or indirectly by a candidate have an authority line; and

WHEREAS, the Mayor and City Council seek to have all campaign materials to have an authority line.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that Chapter 8 of the Hyattsville Code is hereby amended to read as follows:

**Chapter 8
ELECTIONS**

- § 8-1. Qualifications for Registration Officers, Clerks and Judges of Elections; oath of office.
- § 8-2. Eligibility for absentee ballot.
- § 8-3. Absentee ballots; procedure for disabled persons; emergency ballots; assistance in marking.
- § 8-4. Applicability.
- § 8-5. Contents of application for absentee ballot.
- § 8-6. Application form for absentee ballot.
- § 8-7. Absentee ballot: review of application, delivery and maintenance of records.
- § 8-8. Form and contents of absentee ballots.
- § 8-9. Instructions to voters.
- § 8-10. Procedure for counting and canvassing absentee ballots.
- § 8-11. Contests and appeals.
- § 8-12. Runoff elections.
- § 8-13. **PENALTY**
- § 8-14. **CAMPAIGN MATERIALS; AUTHORITY LINE; PENALTY**

[HISTORY: Adopted by the Mayor and Council of the City of Hyattsville 12-1-69. Section 8-7C amended at time of adoption of Code; see Ch. 1,

General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Registration, nominations and elections - See Charter, Art. IV.

Administration of government - See Ch. 4.

Code of Ethics - See Ch. 10.

Peace and good order - See Ch. 87.

§ 8-1. Qualifications for Registration Officers, Clerks and Judges of Elections; oath of office.

Registration Officers and Judges and Clerks of Elections appointed by the City Council shall be registered voters of the city, and, where so required by law, they shall be registered voters of the ward for which they are appointed. They shall, before entering upon their duties, take the oath required by law for all registration and election officials.

§ 8-2. Eligibility for absentee ballot. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

The following persons may vote as absentee voters under this chapter:

A. Any qualified voter who may be ~~[unavoidably absent from the City of Hyattsville where he is registered to vote for any reason on any election day.]~~ **ABSENT AT THE TIME OF ELECTION OR UNABLE TO VOTE PERSONALLY.**

B. **ANY QUALIFIED VOTER WHO IS** [A]An[y] employee of [a] **THE** Board of Supervisors of Elections, including any Judge appointed under § C-4 of the Charter, **AND** who, as a condition of his/**HER** employment on any election day, is required to be absent from the election ward in which he/**SHE** is registered to vote.

C. ~~[Any qualified person as defined in § 8-3 of this chapter.]~~ **ANY PERSON WITH A DISABILITY THAT IMPAIRS HIS/HER ABILITY TO VOTE IN PERSON.**

§ 8-3. Absentee ballots; procedure for disabled persons; emergency ballots; assistance in marking. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

A. Application procedure for voting. Any qualified voter ~~[whose physical disability or confinement in or restriction to an institution prevents or will prevent him from being present and personally voting at the polls on any election day shall also be entitled to vote as an absentee voter under this chapter. Such voter]~~ shall make application for an absentee ballot as provided in § 8-5 of this chapter. The **COMPLETED** application shall be filed in the office of the Board of Supervisors of Elections not later **THAN ON THE 7TH DAY BEFORE** ~~[seven (7) days prior to]~~ any election. **NO COMPLETED APPLICATION SHALL BE HANDLED, OR DELIVERED BY A CANDIDATE OR AN INDIVIDUAL VOLUNTEERING OR WORKING FOR A CANDIDATE EXCEPT FOR HIS/HER OWN APPLICATION OR THAT OF HIS/HER IMMEDIATE FAMILY MEMBER OR A MEMBER OF HIS/HER HOUSEHOLD.** Upon receipt of ~~[the]~~ **A COMPLETED** application, the Board shall mail **OR PROVIDE** to the voter entitled thereto an absentee ballot. In all other respects, absentee voting, as provided for in this section, shall be similar to and controlled by the applicable procedure provided by law for absentee voting.

B. Emergency absentee ballot. **BEGINNING ON THE 6TH DAY BEFORE AN ELECTION AND ENDING ON THE DAY BEFORE THE ELECTION AT A TIME SET AND ADVERTISED BY THE BOARD OF SUPERVISORS OF ELECTIONS,** ~~[Within seven (7) days of an election and until twenty-four (24) hours prior to the date of election;]~~ any person registered and otherwise qualified to vote may apply for an emergency absentee ballot if he/**SHE** is notified after the time for making application for an absentee ballot that, ~~[as a condition of his~~

employment,] he/SHE is required to be absent [~~from the City of Hyattsville where he is registered to vote on the day of an election~~] **AT THE TIME OF ELECTION, OR** if he/SHE is unable to [~~be physically present at the polls~~] **VOTE PERSONALLY** as a result of **DEATH IN THE FAMILY, illness or accident OR CIRCUMSTANCES INCLUDING EMPLOYMENT OR SCHOOL CONFLICTS** occurring after the time of making application for an absentee ballot [~~or if he is unable to be present because of a death or serious illness in his immediate family occurring after the time for making application~~]. The application shall be made under penalty of perjury, but without formal oath, and shall set forth the reason why the voter is unable to be present at the polls on the day of the election. Upon receipt of the application, the Board, if satisfied that the person cannot, in fact, be present at the polling place on the day of the election, shall issue to the applicant or his/**HER** duly authorized agent, with the exception of a candidate, an absentee ballot which shall be marked by the voter, placed in a sealed envelope and returned to the Board. If the applicant does not apply in person, the Board of Supervisors of Elections shall designate a member of the Board or an agent, who cannot be a candidate **OR A CANDIDATE'S VOLUNTEER OR EMPLOYEE,** for the purpose of delivering the absentee ballot to the voter, and the agent shall execute an affidavit under penalty of perjury that the ballot was delivered to the voter who submitted the application, was marked by the voter in the agent's presence, was placed in a sealed envelope in the agent's presence and returned, under seal, to the Board by the agent. Any emergency absentee ballot received by the Board after the time for closing of the polls shall not be counted.

C. Assistance in marking ballot. Any otherwise qualified voter who is blind, physically disabled or who has impaired vision and is for one (1) of these reasons unable to mark his/**HER** absentee ballot and sign the required oath may be assisted in voting by any person selected by the voter. Any person rendering assistance pursuant to this subsection must execute the certification of the oath of person assisting absentee voter form.

§ 8-4. Applicability. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

This chapter applies to elections for all candidates, constitutional amendments and other questions at any election held in any year in the City of Hyattsville.

§ 8-5. Contents of application for absentee ballot. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

A qualified voter desiring to vote at any election as an absentee voter shall make an application, in writing, to the Board for an absentee ballot, which application must be received not later than **ON THE 7TH DAY** [~~seven (7) days~~] before the election. The application shall contain an affidavit, which need not be under oath but which shall set forth the following information under penalty of perjury:

- A. The voter's name and residence address, including the street and number.
- B. That the person is a qualified voter at the residence address given.
- C. If the person voted at the preceding election, the residence address from which he voted.
- D. That the voter expects in good faith to be **ABSENT AT THE TIME OF THE ELECTION OR** unable to vote in person [~~for any of the reasons set out in § 8-2 of this chapter~~].

§ 8-6. Application form for absentee ballot. [Added 5-3-76; amended 12-19-83 by HB No. 15-83; 2-6-89 by HB No. 1-89]

A. Printed forms of applications for absentee ballots in accordance with the requirements of this chapter shall be provided by the Board and shall be available to any qualified voter [~~upon request~~].

B. The Board of Supervisors of Elections shall prescribe the forms of application for absentee registration and ballot, application for absentee ballot by registered voter, application for emergency absentee ballot by registered voter and related affidavits and statements for consideration and approval by the Mayor and City Council.

C. The application for absentee voters shall be in the following form:

Application for Absentee Ballot

(Date)To the Board of Supervisors of Elections of City of Hyattsville, Maryland, I, (print name), hereby apply for a City of Hyattsville absentee ballot for the election to be held on (date of election). I will not be able to vote in person [~~because (state reason)~~] **AT THE TIME OF THE ELECTION.** My home address; is (number and street), in the City of Hyattsville. I am a registered voter in the City of Hyattsville, and my voting ward is _____. I desire that the absentee ballot be sent to me at the following address:_____

(sign name)

Warning! The Absentee Voting Law provides that anyone who willfully signs any false application or oath or who willfully does any act contrary to the terms and provisions of the Absentee Voting Law with intent to cast an illegal vote or to aid another in doing so or who willfully violates any of the provisions of that law or who applies for a ballot under any other name than his/**HER** own shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500.) or to imprisonment for not more than ninety (90) days, or to both, in the discretion of the court.

An absentee ballot will not be sent to you unless you are registered to vote in elections in Prince George’s County and are qualified to vote in this city.

§ 8-7. Absentee ballots: review of applications, delivery and maintenance of records. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

A. Rejection of application. Upon receipt of an application containing the affidavit, the Board shall reject the application only upon the unanimous vote of the entire Board and, when rejected, shall notify the applicant of the reason therefor, if it determines, upon inquiry, that the applicant is not legally qualified to vote at the election as an absentee voter.

B. Delivery of ballot. If the applicant is a qualified voter as stated in his/**HER** affidavit, the Board shall, as soon as practical thereafter, deliver to him/**HER** at the office of the Board or mail to him/**HER** at an address designated by him/**HER** an absentee voter’s ballot. If the applicant is one with respect to whom free postage privileges are provided for by the Federal Voting Assistance Act of 1955 or any other federal law, rule or regulation, the Board shall take full advantage of these privileges. In all other instances, postage for transmitting ballot material to voters shall be paid by the voters. If the ballots are to be sent by mail, the determination required in Subsection A of this section shall be made in such time as will allow the sending and return of the ballots by regular mail, depending on the mailing address, and including at least one (1) day for marking the ballots and completing the affidavit. All investigations shall be concluded and any determinations made as to all absentee ballot applications, except emergency applications, not later than five (5) days before election day.

C. Record of applications received and ballots delivered.

(1) The Board shall keep a record of applications for absentee voters' ballots as they are received, showing the date and time received and the names and residence of the applicants, and such record shall be available for examination by any registered voter.

(2) After approval of an application for an absentee ballot and the mailing to the applicant of an absentee ballot, then the voters record card in the precinct binder shall be removed and placed in a separate binder marked "registered absentee voters" and retained in the office of the Board. A marker shall be placed in the regular precinct binder with the voter's name and shall record the fact that an absentee ballot has been mailed, which shall show the date on which the ballot was sent. No such voter shall vote or be allowed to vote in person at any polling place.

D. One (1) ballot per applicant. Not more than one (1) absentee ballot shall be mailed to any one (1) applicant unless the Board has reasonable grounds to believe that the absentee ballot previously mailed has been lost, destroyed or spoiled.

§ 8-8. Form and contents of absentee ballots. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

A. Printing of ballots for absentee voters, envelopes and instructions. In sufficient time prior to any election, the Board shall have printed an adequate number of absentee ballots, the three (3) kinds of envelopes described in this section and the instructions to absentee voters as set out in § 8-9 of this chapter.

B. Absentee ballots, in the discretion of the Board, will be in the form of paper ballots. The form and arrangement of all absentee ballots shall be as prescribed by the Board of Supervisors of Elections.

C. Format and printing of ballots. The ballots shall contain the words "absentee ballot" printed in large letters in a clear space at the top of each paper ballot. Underneath these words shall be printed the following warning: "Mark ballot by placing X in proper blank after each candidate or question. Do not erase or make identifying mark." The designation of the election ward shall be left blank on paper ballots on the back and outside of said ballots, and such designation shall be filled in by the Board before being sent to any registered absentee voter. All candidates shall be listed by office and alphabetically within the office. Referendum questions shall follow the listing of candidates for all offices.

D. Envelopes. The Board of Supervisors of Elections shall prescribe the size, form and printed content of the absentee ballot material envelopes, providing for a covering envelope, a ballot envelope and a return envelope.

§ 8-9. Instructions to voters. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

The printed instructions for the casting of absentee ballots shall be prescribed by the Board of Supervisors of Elections, and it shall prescribe instructions for paper ballots.

§ 8-10. Procedure for counting and canvassing absentee ballots. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

A. Opening or unfolding ballots. The Board shall not open or unfold any absentee ballot at any time prior to the closing of the polls and the beginning of the canvass of the absentee ballots.

B. Procedure generally. Immediately following the canvass of the votes cast at the regular voting places in the city at any election, the Board shall meet at the usual office of the Board and shall proceed to count, certify and canvass the absentee ballots contained in the ballot envelopes received by it prior to the closing of the polls on election day. No ballot shall be rejected by the Board except by the unanimous vote of the entire Board. This canvass shall be conducted by ward in accordance

with the applicable provisions of § C4-11 of the City of Hyattsville Charter. All absentee voters' applications, certifications, ballot envelopes and ballots shall be kept separate and apart from ballots cast at the regular voting places and retained for six (6) months after the date of election at which they were cast, unless prior to that time the Board shall be ordered by a court of competent jurisdiction to keep the same for any longer period.

C. Ballot voted for person who has ceased to be a candidate. Any absentee ballot voted for a person who has ceased to be a candidate shall not be counted for such candidate, but such vote shall not invalidate the remainder of such ballot.

D. Death of voter before election day. Whenever any Board shall determine from proof of investigation that any person who has marked and transmitted or deposited in person with the Board an absentee ballot, whether under act of Congress or the provisions of this chapter, has died before election day, said Board shall not count the ballot of said deceased voter, but it shall be preserved by the Board for six (6) months and may then be destroyed. If, at or prior to the time of such counting and canvassing, the Board shall not have determined that the absentee resident who marked a ballot had died before election day, said ballot shall be counted, and the fact that said absentee resident may later be shown to have been actually dead on election day shall not invalidate said ballot or said election.

E. Placement of ballots in absentee ballot box and entry in registry; more than one (1) ballot in envelope; marking ballots. If the Board determines that the provisions for filling out and signing the oath on the outside of the ballot envelope have been substantially complied with and that the person signing the voter's oath is entitled to vote under this chapter in any ward of the city, as the case may be, and has not already voted therein on election day, it shall open the ballot envelope and remove the ballot therefrom and place it in an absentee ballot box. When any ballot envelope is opened, the Board shall enter in the appropriate register the fact that the voter whose name appears thereon has voted, using the initials "AB" to indicate the vote has been by absentee ballot. If there is more than one (1) ballot in the ballot envelope, all shall be rejected. Absentee ballots may be marked by any kind of pencil or ink.

F. More than one (1) ballot received from the same person. If the Board receives from the same person prior to the closing of the polls on election day more than one (1) absentee ballot, it shall count, certify and canvass only the absentee ballot with the earliest date, or, if both are undated or dated the same, none of the ballots received from such person shall be counted.

§ 8-11. Contests and appeals. [Added 5-3-76; amended 2-6-89 by HB No. 1-89]

Contests concerning voting or the validity of any ballot under this chapter shall be decided by the Board of Supervisors of Elections. No ballot shall be rejected except by the unanimous vote of the entire Board. Any candidate or absentee voter aggrieved by any decision or action of such Board shall have the right of appeal to the Circuit Court for Prince George's County, Maryland. Such appeals shall be taken by way of petition filed with the court within five (5) days from the date of the completion of the official canvass by the Board of all the votes cast at any election and shall be heard de novo and without a jury by said court as soon as possible. There shall be a further right of appeal to the Court of Appeals, provided that such appeal shall be taken within forty-eight (48) hours from the entry of the decision of the lower court complained of, and all such appeals shall be heard and decided on the original papers, including a typewritten transcript of the testimony taken in such cases, by the Court of Appeals, as soon as possible after the same have been transmitted to said court. Said original papers, including the testimony, shall be transmitted to the Court of Appeals within five (5) days from the taking of the appeal.

§ 8-12. Runoff elections. [Added 5-5-86 by HB No. 3-86]

A. If, at any election directed by the Charter, any two (2) or more candidates for the office of Mayor or Councilman who have received the highest number of votes shall have received an equal number of votes, or the vote upon any referendum shall result in a tie, a special election shall be ordered by the Board of Election Supervisors.

B. The special election shall be held within three (3) months of the election at which the tie vote occurred, shall be only for those offices for which the equal number of votes was cast or referendum questions which resulted in a tie vote and shall be conducted in the same manner as provided in the relevant sections of Article IV of the Charter.

§ 8-13. PENALTY

ANYONE WHO WILLFULLY SIGNS ANY FALSE APPLICATION OR OATH OR WHO WILLFULLY DOES ANY ACT CONTRARY TO THE TERMS AND PROVISIONS OF THE ABSENTEE VOTING LAW WITH INTENT TO CAST AN ILLEGAL VOTE OR TO AID ANOTHER IN DOING SO OR WHO WILLFULLY VIOLATES ANY OF THE PROVISIONS OF THIS CHAPTER OR WHO APPLIES FOR A BALLOT UNDER ANY OTHER NAME THAN HIS/HER OWN SHALL, UPON CONVICTION, BE SUBJECT TO A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.) OR TO IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS, OR TO BOTH, IN THE DISCRETION OF THE COURT.

§ 8-14. CAMPAIGN MATERIALS; AUTHORITY LINE; PENALTY.

A. FOR THE PURPOSES OF THIS CODE, “CAMPAIGN MATERIAL” MEANS ANY MATERIAL THAT:

- (1) CONTAINS TEXT, GRAPHICS, OR OTHER IMAGES;**
- (2) RELATES TO A CANDIDATE, A PROSPECTIVE CANDIDATE, OR THE APPROVAL OR REJECTION OF A QUESTION; AND**
- (3) IS PUBLISHED OR DISTRIBUTED TO ANYONE BY, AT THE REQUEST OF, OR UNDER THE AUTHORITY OF, A CANDIDATE.**

B. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EACH ITEM OF CAMPAIGN MATERIAL SHALL CONTAIN, SET APART FROM ANY OTHER MESSAGE, AN AUTHORITY LINE THAT STATES THE NAME AND ADDRESS OF THE PERSON, TREASURER, OR CAMPAIGN MANAGER RESPONSIBLE FOR THE PUBLICATION OR DISTRIBUTION OF THE SAME.

C. THE AUTHORITY LINE NEED STATE ONLY THE NAME AND TITLE OF THE RESPONSIBLE PERSON IF:

- (1) THE NAME AND ADDRESS OF THE RESPONSIBLE PERSON HAS BEEN FILED WITH THE CITY CLERK; OR**
- (2) THE CAMPAIGN MATERIAL ITEM IS TOO SMALL TO INCLUDE ALL THE INFORMATION SPECIFIED IN PARAGRAPH (B) OF THIS SECTION IN A LEGIBLE FORM.**

D. ANY MATERIAL THAT IS PUBLISHED OR DISTRIBUTED IN SUPPORT OF OR IN OPPOSITION TO A CANDIDATE WITHOUT BEING DIRECTLY OR INDIRECTLY AUTHORIZED BY THE CANDIDATE AS PROVIDED ABOVE IN SUBSECTION (A)(3) MAY AND ORDINARILY SHOULD INCLUDE THE FOLLOWING STATEMENT: "THIS MESSAGE HAS BEEN AUTHORIZED AND PAID FOR BY (NAME OF PAYER OR ANY ORGANIZATION AFFILIATED WITH THE PAYER). THIS MESSAGE HAS NOT BEEN AUTHORIZED OR APPROVED BY ANY CANDIDATE."

E. IT SHALL BE UNLAWFUL FOR ANY PERSON TO PUBLISH OR DISTRIBUTE FOR THE PURPOSE OF INFLUENCING VOTES ANY MATERIALS WITH A FALSE OR INCORRECT AUTHORITY LINE. ANY PERSON WHO VIOLATES THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR AND SUBJECT TO THE PENALTIES INCLUDING \$500.00 FINE AND/OR IMPRISONMENT FOR 30 DAYS (ORD. NO. 1260, 8-8-05)

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2005.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2005.

Adopted: _____

Attest: _____

William F. Gardiner
Mayor

[] indicate deletions

CAPS/**BOLD** indicate additions

Asterisks * * * Indicate matter retained in existing law but omitted herein