



Effective: February 4, 2020

AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING CITY CODE, CHAPTER 50 “ELECTIONS”, § 50-36 “VOTE COUNT” AND REPEALING AND RE-ENACTING IN ITS ENTIRETY, WITH AMENDMENTS, § 50-37 “CHALLENGERS AND WATCHERS” TO CLARIFY WHO MAY BE PRESENT IN THE POLLING PLACE ON ELECTION DAY AFTER THE CLOSING OF THE POLLS

WHEREAS, the Board of Elections has requested that the City Council of New Carrollton amend City Code, Chapter 50 “Elections” to clarify who may be present after the polls have closed and the Board of Elections is canvassing the voting machines or other voting system and counting votes; and

WHEREAS, the Board of Elections would like to limit the persons, other than the Board of Elections and Election judges, allowed to be present during the canvassing of the votes to official challengers and watchers; and

WHEREAS, the City Council of New Carrollton supports the requested change as the less people involved in the canvassing the less opportunity for distraction and/or mistakes; and

WHEREAS, the City Council of New Carrollton desires to amend City Code, Chapter 50 “Elections” accordingly as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of New Carrollton that Chapter 50 “Elections,” §50-36 Vote Count of the City Code be and hereby is amended to read as follows:

§ 50-36 Vote count.

A. The Board of Elections shall tally the machine votes once the polls have been closed. Once the voting machine tallies have been completed, those results will be publicly announced as the unofficial results of the City election.

CAPITALS: Boldfaced capital letters denote language added to the City Code.
[BOLDFACED BRACKETS]: Boldfaced brackets denote language deleted from the City Code.

B. Within twenty-four (24) hours after the closing of the polls, the Board of Elections, in the presence of the City Clerk [, any candidate,] and the duly accredited watchers within the polling place, shall canvass the voting machines or other voting system and count any paper ballots, regular and absentee, to determine the vote cast for each candidate and/or any questions on the ballot.

C. The Board of Elections shall meet the day following the election and shall determine and declare what persons have been elected, issue certificates of election to such persons and certify the results of the election to the Mayor and Mayor Pro Tem as provided in City Charter, § C-7, Elections.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of New Carrollton that Chapter 50 "Elections," §50-37 Challengers and Watchers of the City Code be and hereby is repealed and re-enacted in its entirety, with amendments, to read as follows:

§ 50-37 CHALLENGERS AND WATCHERS.

A. A CHALLENGER AND WATCHER IS AN INDIVIDUAL DESIGNATED BY A CANDIDATE OR A GROUP OF VOTERS SUPPORTING OR OPPOSING A CANDIDATE, A PRINCIPLE, OR PROPOSITION ON THE BALLOT. CHALLENGERS AND WATCHERS MUST BE REGISTERED VOTERS IN CITY ELECTIONS.

B. A CHALLENGER OR WATCHER OFFICIALLY REPRESENTING A CANDIDATE IN ANY CITY ELECTION HAS THE RIGHT TO:

- (1) ENTER THE POLLING PLACE AT LEAST (BUT NO LATER THAN) ONE-HALF HOUR BEFORE THE POLLS OPEN;**
- (2) ENTER OR BE PRESENT IN THE VOTING AREA AT ANY TIME WHEN THE POLLS ARE OPEN;**
- (3) REMAIN IN THE POLLING PLACE UNTIL THE COMPLETION OF ALL TASKS ASSOCIATED WITH THE CLOSE OF THE POLLS AND THE ELECTION JUDGES LEAVE THE POLLING PLACE; AND**
- (4) BE PRESENT WHEN THE BOARD OF ELECTIONS CANVASSES THE VOTING MACHINES OR OTHER VOTING SYSTEM AND COUNTS BALLOTS, AS PROVIDED FOR IN § 50-36 ABOVE.**

C. A CHALLENGER OR WATCHER MAY NOT ATTEMPT TO:

- (1) ASCERTAIN HOW A VOTER VOTED OR INTENDS TO VOTE;**
- (2) CONVERSE IN THE POLLING PLACE WITH ANY VOTER;**


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- (3) ASSIST ANY VOTER IN VOTING; OR
- (4) PHYSICALLY HANDLE AN ORIGINAL ELECTION DOCUMENT.

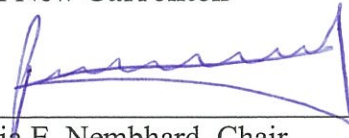
INTRODUCED BY THE CITY COUNCIL OF NEW CARROLLTON, MARYLAND ON THE 18TH DAY OF DECEMBER, 2019.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON ON THE 15TH DAY OF JANUARY, 2020.

Attest:

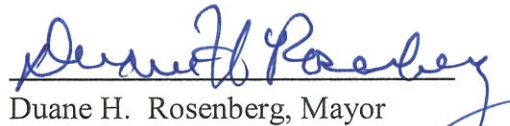

Douglas A. Barber, MMC
City Clerk

City of New Carrollton


Phelecia E. Nembhard, Chair
City Council

Date: January 15, 2020

Approved:


Duane H. Rosenberg, Mayor

Date: January 15, 2020

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