

Sponsor: Councilman Donald Torbert
First Reading: 10-12-22
Second Reading: 11-9-22

GREENWOOD ORDINANCE NO. C-14

AN ORDINANCE ESTABLISHING A VOTER REGISTRATION PROGRAM FOR MUNICIPAL ELECTIONS IN THE TOWN OF GREENWOOD

WHEREAS, Section 7(g) of the Greenwood Town Charter authorizes the Town Council to “enact such ordinances concerning the registration of qualified voters for municipal elections in the Town as it deems reasonably necessary to provide for the orderly and efficient conduct of municipal elections; provided that no such ordinances shall alter the qualifications of voters as hereinabove set forth, nor shall any such ordinances unduly impair the right to vote in a municipal election”;

WHEREAS, the Delaware Department of Elections has a voter registration program and the Town Council finds that it is in the best interest of the Town of Greenwood to utilize the Delaware Department of Elections’ voter registration system;

NOW THEREFORE, be it hereby enacted by the Town Council of the Town of Greenwood, a majority thereof concurring in Council duly met, that Ordinance C-14 is hereby enacted as follows:

AN ORDINANCE ESTABLISHING A VOTER REGISTRATION PROGRAM FOR MUNICIPAL ELECTIONS IN THE TOWN OF GREENWOOD

Section 1. Registration.

1. Except as provided in the Charter of the Town of Greenwood (“the Charter”), the registration of voters in the Town of Greenwood shall be governed by and conducted in accordance with the provisions of Title 15 of the Delaware Code.
2. A bona fide resident of the Town of Greenwood who meets the qualifications set forth in the Charter and in Section 2 of this Ordinance and who is registered to vote for elections through the Delaware Department of Elections (“the Department”) shall be deemed registered to vote in elections of the Town of Greenwood.
3. The Town of Greenwood shall use the State of Delaware’s Voter Registration System as the source of the Town of Greenwood’s list of registered bona fide resident voters. The Town of Greenwood and the Department shall enter into an agreement that specifies the responsibilities of each party relating to registering voters, maintaining voter records, and providing Election Day support.

4. The Town of Greenwood shall maintain its own voter registration system as the source of the Town of Greenwood's list of registered nonresident voters. The Town of Greenwood shall publish and post a schedule of when eligible nonresident voters may register to vote.

Section 2. Qualifications.

1. Resident of the Town. To qualify to register to vote in any municipal election or special election of the Town of Greenwood, an individual who is a bona fide resident of the Town of Greenwood must:
 - a. Be a citizen of the United States of America;
 - b. Be at least eighteen (18) years of age at the time of the election; and
 - c. Continuously have been a bona fide resident for a period of at least thirty (30) days prior to the election
2. Non-Resident of the Town. Except as otherwise provided in Section 3 and Section 32 of the Charter, non-residents are not permitted to vote in Town of Greenwood elections.
 - a. To qualify to register to vote in a special election under Section 3 of the Charter, a non-resident of the Town of Greenwood must be an individual or legal entity owning record title to real property in a parcel proposed for annexation.
 - b. To qualify to register to vote in a special election under Section 32 of the Charter, a non-resident of the Town of Greenwood must be an individual or legal entity owning record title to real property in the Town of Greenwood.
3. Definitions.
 - a. "Bona Fide Resident" means an individual who physically resides within the corporate limits of the Town with the actual intent to make that residence that person's fixed and permanent home.

Section 3. Procedure. The Town of Greenwood Municipal Election must be conducted pursuant to Subchapters IV and V, Chapter 75 of Title 15 of the Delaware Code.

Section 4. Requirements. No person shall vote or be allowed to vote in any municipal election or special election of the Town of Greenwood unless such person is properly registered to vote for state elections in accordance with Title 15 of the Delaware Code or is otherwise qualified to vote as required in the Charter.

Section 5. Voter Identification. Persons appearing to vote shall present proof of identity and address pursuant to Title 15, Chapter 75 of the Delaware Code. Once determined eligible, the voter shall print the voter's legal name, address, and record the voter's signature on the appropriate election document prior to voting.

Section 6. Registration Deadlines.


1. Resident voters shall be required to have properly registered with the Department to be permitted to vote at a Town of Greenwood election.
2. Non-resident voters shall be required to register with the Town Manager of Greenwood to be permitted to vote at a Town of Greenwood special election.
3. Regular and Municipal Elections. In accordance with 15 Del. C. § 7550(d), the Town Manager shall close the registration records 30 days prior to the date of the election and only those voters properly registered as of that time shall be entitled to vote at the following election.
4. Special Elections. In accordance with 15 Del. C. § 2037 and § 7550(d), the Town Manager of Greenwood shall close the registration records 10 days prior to the date of a special election and only those voters properly registered as of that time shall be entitled to vote at the following special election.
5. If the deadline for registration set forth in this Section 6 falls on a Saturday, Sunday, or holiday, the deadline shall be the next day that is not a Saturday, Sunday, or holiday.
6. Mail applications postmarked on or before the deadline for registration set forth in this Section 6 shall be considered to be on-time and shall be immediately processed by the Department and the Town of Greenwood. If applications for voter registration are taken by agencies in accordance with Title 15, Chapter 20, Subchapter VII of the Delaware Code on or before the deadline, those applications shall be considered on-time and shall be processed by the Department immediately upon receipt.
7. The registration records of the Town shall remain closed until the day after the election.

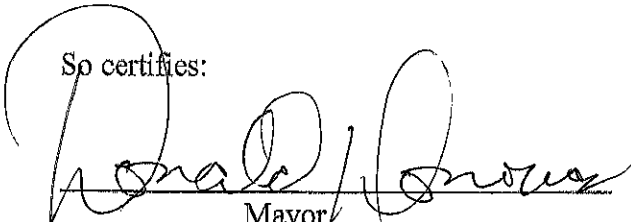
Section 7. Custodian of Registration Records. The Town Manager of Greenwood shall be the custodian of the permanent registration records. The removal of registration records from Town Hall shall be done only with the express consent of the Town Manager.

Synopsis

This Ordinance outlines the procedure for voter registration in elections in the Town of Greenwood. These updates bring the Town's regulations into compliance with recent changes the Delaware State Code and eliminates the requirement for dual registration with the State Department of Elections.

This shall certify that this is a true and correct copy of Ordinance C-14 duly adopted by the Town Council of the Town of Greenwood at a duly-noticed and convened meeting at which a quorum was present on Nov. 9, 2022.

Attest: 
Council Secretary

So certifies:

Mayor