

CITY OF DOVER ORDINANCE #2017-15

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 34 - Elections, Article III – Absentee Voting of the Dover Code be amended to read as follows:

ARTICLE III. - ABSENTEE VOTING^[3]

Footnotes: --- (3) --- State Law reference— Absentee voting generally, 15 Del. C. §§ 5501—5526.

Sec. 34-61. - Purpose. The intention of this article is to provide qualified voters of the city who are unable to appear at the polling place of their district to cast their ballot on the day of an election with the ability to cast an absentee ballot. (Code 1981, § 2-41; Ord. of 2-11-1985)

State Law reference— Similar provisions, 15 Del. C. § 5501.

Sec. 34-62. - Persons eligible to vote by absentee ballot.

Any qualified elector, duly registered, of this city may cast their vote by absentee ballot in any regular municipal election or special municipal election if the elector is unable to appear at the polling place of their election district due to reasons set forth in 15 Del. C. § 5502 Persons eligible to vote by absentee ballot.

(Code 1981, § 2-42; Ord. of 2-11-1985)

State Law reference—15 Del. C. § 5502.

Sec. 34-63. - Request for ballot; statements required of persons applying for absentee ballots.

Any voter who is qualified under 15 Del. C. § 5502 - Persons eligible to vote by absentee ballot, and who desires to receive an absentee ballot may request one by filing a statement with the city clerk's office, subscribed and sworn to by the voter, no later than 12:00 noon the day before the election.

(Code 1981, § 2-44; Ord. of 2-11-1985; Ord. of 11-26-1990, § 3)

State Law reference— Similar provisions, 15 Del. C. § 5503.

Sec. 34-64. - Distribution of ballots, envelopes and instructions.

Upon receipt of a statement from a voter, the city clerk's office, not more than 60, nor less than four days prior to the regular or special election and within three days after the absentee ballots, envelopes and instructions for completing and returning an absentee ballot become available, shall mail to the voter, postage prepaid, an official ballot, enclosed in an official envelope, along with a voucher envelope marked "voucher envelope," a copy of the instructions for completing and returning an absentee ballot and a mailing envelope marked "mailing envelope." Nothing contained in this section shall prevent the issuance of an absentee ballot to those lawfully entitled thereto prior to 12:00 noon on the day prior to any regular or special election when the request is made less than four days prior to the regular or special election.

(Code 1981, § 2-45; Ord. of 2-11-1985; Ord. of 11-26-1990)

State Law reference— Similar provisions, 15 Del. C. § 5504.

ADOPTED: NOVEMBER 27, 2017

SYNOPSIS

The amendments revise the requirements to request an absentee ballot to comply with recently amended State law. This amendment becomes effective January 1, 2018.

(SPONSORS: ANDERSON AND LINDELL)

Actions History:

- 11/27/2017 - Final Reading – City Council
- 11/13/2017 - First Reading – City Council
- 10/23/2017 - Introduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee