

CHARTER

§ 3.17

Section 3.10. Nonpartisan primary election; when held.

Primary elections for the nomination of candidates for elective office under the provisions of this Charter shall be held on the first Tuesday following the first Monday in August of each odd-numbered year.

Editor's note—See Code of Ordinances § 13-2 for designation of primary date as Tuesday following the second Monday in September of each odd-numbered year.

State law reference—Odd-year primary election, MCL 168.644b, MSA 6.1644(2).

Section 3.11. Vacancies for unexpired terms.

When vacancies for unexpired terms of the elective officers are to be filled by election under provisions of Section 5.6(c) of this Charter, separate provisions shall be made on the ballot for such purpose.

Section 3.12. Notice of election.

Notice of the time and place of holding any City election, the officers to be elected and the matters to be voted upon shall be given by the Clerk by posting such notice in not less than three (3) public places in the City two (2) weeks prior to such election and by publishing such notice at least two (2) times; the first publication to be made not less than ten (10) days prior to such election in a newspaper circulated in the City.

State law reference—Notice of election, MCL 168.653a, MSA 6.1653(1).

Section 3.13. Form of ballot.

The form, printing and numbering of ballots in all elections shall conform to that prescribed by statute, except that no party designations or emblem shall appear on ballots for elections of City elective offices. The names of candidates shall rotate in [the] manner prescribed by statute.

If two (2) or more candidates or nominees for the same office have the same or similar surnames, the Election Commission shall print the residence address under the respective names of such candidates or nominees on the ballots (or on labels or slips to be placed on voting machines, when used). Except as provided in this Section, there shall be

no supplemental identification of candidates on the ballot.

State law reference—Arrangement of ballot, MCL 168.706, MSA 6.1706.

Section 3.14. Voting machines.

Ballots may be cast by the use of voting machines and, if used, shall conform to all of the provisions of the statutes in such case made and provided.

State law references—Voting machines at primaries, MCL 168.584 et seq., MSA 6.1584 et seq.; voting machines generally, MCL 168.770 et seq., MSA 6.1770 et seq.

Section 3.15. Voting hours.

The polls of all elections shall be opened and closed at the time prescribed by statutes for State elections.

State law reference—Opening and closing of polls, MCL 168.720, MSA 6.1720.

Section 3.16. Supplies and equipment.

The Council shall provide all necessary voting booths, voting machines, equipment, ballot boxes and supplies for the conducting of all elections and primaries.

State law reference—Polling places, equipment and supplies, MCL 168.662, MSA 6.1662.

Section 3.17. Nomination to office.

Candidates for any elective office, to be voted for at any municipal election held under the provisions of this Charter, except as provided in Section 5.6(c), shall be nominated at a primary election, and no other name shall be placed upon the election ballot for the election of such officers except those nominated in the manner hereinafter prescribed. However, whenever the number of candidates for nomination to any office does not exceed three (3) times the number to be elected to that office, then in such case, no primary election for the nomination of candidates for such office shall be held, and such candidates shall be deemed to be nominated to such office. The names of such candidates for any such office shall be placed upon the election ballot to be voted for at the next regular municipal election, in all respects as though

§ 3.17

NOVI CODE

the said candidates had been nominated at a primary election.

(Amended 8-7-84)

State law references—Mandatory that Charter provide for nomination of elective officers, MCL 117.3(b), MSA 5.2073(b); nonpartisan nominating petitions, MCL 168.544a, MSA 6.1544(1).

Section 3.18. Nominations for primary elections.

The method of nomination of the elective officers of the City for primary elections shall be by petition signed by not less than one hundred (100) nor more than two hundred (200) electors of the City; or in lieu thereof, a candidate may notify the Clerk of the City in writing that he is a candidate for a designated office, giving his legal name and address, and pay to the Clerk the sum of One Hundred (\$100) Dollars to be paid into the general fund of the City. All nominating petitions or notifications of candidacy with required cash payment, shall be filed with the Clerk between the eightieth day and 4:00 p.m. at the prevailing time on the sixtieth day preceding such primary election. The form of nominating petition shall be substantially as that designated by the Secretary of State for nomination of nonpartisan judicial offices. Signing of petitions shall be governed by general election statutes.

Section 3.19. Approval of petitions.

The Clerk shall accept only nomination petitions which conform to the above requirements and, if accepted, endorse thereon his approval and the date of filing. When a petition is filed by persons other than the person appearing thereon as candidate, it may be accepted only when accompanied by the written consent of the candidate. Within five (5) days after the last day for filing petitions, the Clerk shall make his final determination as to the validity and sufficiency of each petition. If the Clerk finds the petition does not satisfy the requirements, he shall forthwith notify the candidate in writing of such fact, by personal messenger if possible.

Any candidate whose petition is invalid or insufficient shall be allowed to file a supplementary or replacement petition before 4:00 p.m. at the prevailing time on the eighth day after the last day for filing the original petition; thereafter no further petitions may be filed.

Section 3.20. Certification.

The names of the candidates who file valid nominating petitions and the names of candidates who comply with filing for candidacy by paying the required cash payment shall be certified by the Clerk to the Election Commission to be placed on the ballot for the next City primary election.

Section 3.21. Public inspection of petition.

All nominating petitions shall be open to public inspection in the office of the Clerk.

Section 3.22. Who are nominated.

When only one person is to be elected to any one office, then the two (2) candidates receiving the highest number of votes for nomination to that office shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for that office at the regular municipal election. When more than one person is to be elected to any office, then the candidates, equal in number to twice the number of persons to be elected to that office, receiving the highest number of votes for said office, and no others, shall be placed upon the ballot as candidates for said office at the next regular municipal election.

Where no primary contest is involved, those candidates who have complied with Section 3.18. for an elective office shall be determined to be nominated.

Section 3.23. Return of Board of Election Inspectors.

Immediately upon the closing of the polls, the Board of Election Inspectors in each precinct shall count the ballots and ascertain the number of votes cast in such precinct for each of the candidates and upon each of the questions and propositions voted upon and shall make immediate return thereof to the Clerk upon blanks to be furnished by the Clerk.

Section 3.24. Canvass of the returns of the primary election.

The Board of Canvassers shall meet at the Council Chambers at 8:00 p.m., at the prevailing time, on the Thursday following such primary election,