

## **TITLE 5**

### **ELECTIONS**

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#### **SECTION 5-101 REGISTRATION OF VOTERS FOR MUNICIPAL GENERAL ELECTION**

- (a) The residents of the Town shall be entitled to vote at all Municipal general elections, and special elections within the ward and precinct of the Town in which they reside; provided, that they are registered and qualified under the laws of the State to vote in any District, County or State election.
- (b) For the purpose of determining the ballot to be voted in a Municipal general election by a resident entitled to vote in a Municipal general election as hereinbefore provided, the Town Clerk shall provide for the registration of residents of the Town. Each voter may register at the Town Clerk's Office at any time during the regular business hours of the Clerk except for the general three (3) day period preceding any Municipal general election. Registration shall be upon such form or forms as prescribed by the Clerk. There shall be no registration change or transfer of registration by the Town clerk during the three (3) day period preceding any Municipal general election. However, any person may register at the precinct in which he is entitled to vote by signing the registration forms prescribed by the Town Clerk in the presence of the duly appointed and acting election officials, and he shall be entitled to cast his ballot for the candidates in the Municipal general election held on that day.

#### **SECTION 5-102 TIME OF ELECTIONS**

Elections are to be held in odd-numbered years. The general election shall be the second Tuesday in June.

#### **SECTION 5-103 REGISTRATION DEADLINE**

Registration deadline to run for office in the general election shall not be later than sixty (60) days prior to the general election.

## **SECTION 5-104      REGISTRATION BOOKS**

- (a) The County registration books shall be the registration books for all Municipal general and special elections. At least three (3) days before the date of any election, the Town Clerk shall procure from the Clerk of the County Commission, the necessary registration records and other election supplies.
- (b) Council shall sit not later than the third day preceding any Municipal general or special election for the purpose of examining the registration. Council shall at this time strike the names of residents from the registration recorded by the Town Clerk of persons who have moved from the precinct wherein they were registered by the Clerk and the name of any person who has died. Council shall certify at such time that those voters registered are eligible to vote for candidates at the Municipal general election.
- (c) The list of voters so certified by Council, together with all of the voters who register on the day of the Municipal general or special election shall be maintained by the Town Clerk as the permanent registration of voters until the next succeeding Municipal general or special election.

## **SECTION 5-105      FILING FEES**

The filing fee for the Office of Mayor shall be One hundred Dollars (\$100.00). The filing fee for the Office of Recorder shall be Fifty Dollars (\$50.00). The filing fee for the Office of Councilman and other elective offices shall be Fifteen Dollars (\$15.00). The fees shall be paid to the Town Clerk upon the filing of the statement of the candidate.

## **SECTION 5-106      CONDUCT OF ELECTIONS; SELECTION OF POLL WORKERS; OATH OF OFFICE**

- (a) Except as otherwise provided in the Town Charter, Town elections shall be conducted and the result determined and certified in accordance with the provisions of the general law of the State with respect to general and special elections, so far as they are applicable, except that the duties devolving upon the County Commission and the Clerk thereof under the general laws for conducting elections shall be performed by Council and the Town Clerk. Council shall appoint three (3) commissioners and two (2) clerks to serve as election officials in each precinct in the Town at a regular or special meeting in Council Chambers on the third Monday of the month next preceding the date on which any election is to be held. At least three (3) days before the date of the election, the Town Clerk shall procure from the Clerk of the County Commission the necessary registration records and other election supplies and shall deliver them together with the ballots to the election officials. The election officials shall as soon as possible after the closing of the polls on Election Day return to the Town Clerk the ballots, registration

records, ballot boxes and other election supplies. On the first Monday following the election, Council shall canvass the returns of the election and declare the result. In the case of a contest, Council shall be the judge of the election and qualifications of all Town officials.

- (b) Each commissioner of election and poll clerk appointed or selected as aforesaid, shall, before entering upon the discharge of his duties, take and subscribe an oath, respectively to the following effect:

(1) Commissioner's Oath  
STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA

“I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and the Charter of the Town of Pratt; that I will faithfully and impartially discharge the duties of Commissioner of Election assigned by law; that I will not knowingly permit any person to vote who is not qualified, and will not knowingly refuse the vote of any qualified voter, or cause any delay to a person offering to vote further than is necessary to procure satisfactory information of the qualifications of such person as a voter; that I have been a resident of the State of West Virginia for one year, and the County and magisterial district in which I am to act as Commissioner of Election, for sixty days next preceding this date; that I will not disclose nor communicate to any person how any voter has voted at such election, nor how any ballot has been folded, marked, printed, or stamped; that I have nothing of value bet or wagered upon the result of said election; that I have not received any promise, agreement or understanding that I am to receive appointment as deputy from any candidate to be voted for at such election; that I do not have any agreement, understanding or arrangement that I shall receive any sum of money or any portion of the salary, fees or emoluments of any office for which any candidate is to be voted for at such election should such candidate be elected in this or any subsequent election; that I am not a candidate at this election; that I am a member of \_\_\_\_\_ party, a qualified party of the Town of Pratt as defined by the Charter of the Town of Pratt. So help me God.”

\_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature and official title of person before whom sworn.)

(2) Clerk's Oath

"I, \_\_\_\_\_, do solemnly swear that I will faithfully and honestly discharge my duties as clerk of the election now about to be held in \_\_\_\_\_precinct No. \_\_\_\_\_ in the Town of Pratt, District \_\_\_\_\_, County of Kanawha, State of West Virginia; that I will not disclose nor communicate to any person how any elector voted, or how any ballot was folded, marked, printed or stamped; that I do not have any promise, agreement or understanding that I am to be appointed as deputy by any candidate to be voted for at such election; that I do not have any agreement, understanding or arrangement that I shall receive any sum of money or any portion of the salary, fees or emoluments from any office for which any candidate is to be voted for at such election. Should such candidate be elected at such election or any subsequent election; that I am a member of the \_\_\_\_\_party, a qualified party of the Town of Pratt. So help me God."

Subscribed and sworn to before me this \_\_\_\_\_day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
(Signature and official title of person before  
whom sworn.)

- (3) The oaths may be taken before any person authorized to administer oaths, but if no other person be present at any place of holding any election, they may be taken before and administered by one of the commissioners of such election so appointed, who in turn may take the same before another of such commissioners. Either of the commissioners may administer the oaths of the poll clerks. For the purposes of this article all commissioners of election are authorized to administer oaths. Such oaths shall appear completed and certified on one of the poll books of every election precinct.

#### **SECTION 5-107 ABSENTEE VOTING**

All of the provisions of the West Virginia Code, Chapter 3, Article 3, relating to voting by absentees, are hereby adopted to the same extent as if such article were set out in full and embodied in this section.