

Charter Requirements and Ballot Preparation

Andrew Ickes, Elections Specialist

State Law and Municipal Charters

- Unless you have a municipal charter on file, that has been approved by the governing body of your municipality, then you follow the dates and guidelines set forth in West Virginia Election code.
- The code sections will be marked next to each section and date relevant to the election process.

Terms of Office

- The term of any elected officer shall commence on the first day of July following the election of that officer.
- For municipalities holding biennial elections, the term is for two years. For municipalities holding quadrennial elections, the term is four years.
- All officers, whether elected or appointed, will hold that office until a successor has been properly and legally selected.
- Code Reference: 8-5-9

Vacancies in Municipal Offices

- When a vacancy occurs, for whatever reason, it is the duty of the municipalities governing body (usually town council), to select a replacement to complete the remainder of the term.
- Code Reference: 8-5-10

Candidate Filing

- The certificate of announcement shall be filed with the proper officer not earlier than the second Monday in January next preceding the election and not later than the last Saturday in January. (January 14 to January 26).
- The certificate must be on a form prescribed by the WV Secretary of State.
- Must be completed, all sections and notarized
- **Postmarked by January 26th**
- Code Reference: 3-5-7(c)

Municipal Election Commissioners

- 8-5-2: At the time of ordering the issuance of the certificate of incorporation of a town or village as specified in section seven, article two of this chapter, the county court shall appoint three qualified voters of such incorporated territory who shall act as commissioners of election at the first election of officers to be held in such town or village, as hereinafter provided, and, in case they shall fail or refuse to act, such election may be held, conducted, superintended, returned and certified by any three qualified voters of such incorporated territory appointed for that purpose by the qualified voters present.
- What this code section means? How you ensure you a fairly facilitated election? How to replace election commissioners as needed.
- Code Reference: 8-5-2

Ballot Order Drawing

- On April 2, 2013, at 9:00 a.m. the order for ballot position will be selected by lot. The method used is up to the discretion of the recorder, but it should entirely eliminate any chance for advantage. (i.e. out of hat, draw straws, etc.)
- Code Reference: 3-6-2(d)(2)

Ballot Certifying and Publication

- On April 8, 2013 the ballot commissioners will meet to certify the ballot once the ballot order drawing is finalized. It will then be sent to the ballot printer.
 - Code Reference: 3-1-19
- In the weeks preceding the election, the requirements for ballot printing are as follows:
 - For municipalities with two or more qualified newspapers, a Class I-O legal advertisement should be ran in each newspaper with the sample ballot between May 16 and May 22, 2013.
 - For municipalities with only one daily newspaper, or having only a weekly paper, a sample ballot shall be published as a Class I legal advertisement in the newspaper having the largest circulation.
 - Code Reference: 3-6-3