TOWN OF NEWCASTLE
RECALL OF ELECTED MUNICIPAL OFFICIALS ORDINANCE
(EXEMPTING SCHOOL BOARD MEMBERS)

SECTION 1. Establishment

Under MRSA Title 30-A §2505, a municipality's ordinances or charter may determine the process to recall an elected official of a municipality. For purposes of this ordinance, "official" has the same meaning as Title 30-A §2604, subsection 2.

SECTION 2. Applicability

Any elected Select Board member, assessor, and overseer of the poor, Great Salt Bay Sanitary District Trustee, of the Town of Newcastle may be recalled and removed from office as herein provided for.

SECTION 3. Notice of Intention

In order to initiate a recall election, the initiator of the petition shall file a notice of intention of recall with the Town Clerk. (see Appendix A for an example). A notice of intention of recall under this subsection must include the name, address, and contact information of the person filing the notice and the name and position of the official subject to recall. Only a person registered to vote in the Town of Newcastle may file a notice of intention of recall.

SECTION 4. Petitions for Recall

a. Once the Notice of Intention has been filed with the Town Clerk, the initiator may begin collecting signatures.
b. The petition shall be addressed to those members of the Select Board having no interest in the subject matter of the petition (See Appendix B for an example).
c. The petition shall state the name and office of the person whose removal is being sought, and a general statement of the reasons such removal is desired.
d. The petition for recall must contain only signatures of the registered voters of the Town of Newcastle, equal to ten percent (10%) of the number of votes cast in the last gubernatorial election, but in all cases, no less than ten. The petition must also include the printed name of the registered voter signing, the voter's street address, and the date of signature and the municipality of residence.
e. If recall of more than one official is being sought there shall be a separate petition for each official whose removal is being sought.
f. All petition pages thereof shall be filed as one document.

SECTION 5. Clerk's Certification

Within ten (10) working days of receipt of the petition the Town Clerk shall certify the signatures contained on the petition and shall determine if the petition meets all of the qualifications as set forth in Section 3 of this ordinance. Should the petition be found insufficient, the petition will be filed in the Clerk's Office and the initiator who filed the petition will be notified.

SECTION 6. Calling the Recall Election

a. If the petition is found to be sufficient by the Town Clerk ,the Clerk will submit the certified petition to the Select Board at their next regular meeting and shall notify the official or officials whose removal is being sought of such action.

The Select Board, upon receipt of the certified petition, shall within ten (10) days time of receipt, order an election by secret ballot, pursuant to 30-A MSRA § 2528, to be held not less than 30 nor more than 60 days thereafter, provided that a regular municipal election will not be held within 90 days of receipt of the certified petition. In this case, the Select Board may, at their discretion, provide for the holding of the recall election on the date of the regular municipal election.

b. In the event that the Select Board fails or refuses to order an election as herein provided, the Town Clerk shall call the election to be held not less than 30 days nor more than 60 days following the Select Board's failure or refusal to order the required election.

SECTION 7. Ballots for Recall Election

Unless the official or officials whose removal is being sought have resigned within ten (10) days of receipt of the petition by the Select Board, the ballots shall be printed and shall read "SHALL _____BE RECALLED?" with the name of the official whose recall is being sought inserted in the blank space.

SECTION 8. Results of Election

In the event of an affirmative vote for removal, such vote shall take effect as of the recording of the vote tabulation into the records.

SECTION 9. Vacancies to be filled

Any vacancy resulting from removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes.

Signed and approved on this 24th of March 2025

Karen Paz

Tor Glendinning

Thomas Kostenbader

Rufus Percy

Ben Frey

Legislative History:
Adopted: 03-28-2005
Amended: 03-24-2025

APPENDIX A: Notice of Intention

NOTICE OF INTENTION TO RECALL AN ELECTED OFFICIAL FOR THE TOWN OF NEWCASTLE

I, _____, file with the Newcastle Town Clerk, this notice of intention to recall the elected official named _____, who currently serves in the following capacity_____.

Statement of basis of recall:

_____

_____

_____

_____

_____

Signature of Intiator:_____

Residential Address:_____ Mailing Address:_____

Phone Number:_____ Email Address:_____

APPENDIX B: Petition Form

RECALL OF ELECTED OFFICIAL PETITION FOR THE TOWN OF NEWCASTLE

To the Select Board of Newcastle, I _____ request the recall of elect official _____

who is currently serving as an elected official as a member of _____ for the following reason_____

All signators are residents and qualifed voters of Newcastle.

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	VOTERS SIGNATURE	VOTERS PRINTED NAME	DATE SIGNED	ACTUAL STEET ADDRESS	MUNICIPALITY
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CIRCULATOR'S OATH

I hereby make oath that i am the Circulator of the petition: that I personally witnessed all of signatures to this petition: and, to the best of my knowledge and belief, each signature is that of the person whose name it purports to be. If any voter was unable to sign due to a physical disability, I hereby verify, that the voter authorized another voter to sign at the voter's direction and in the voter's presence.

Signature of Circulator_____ Printed Name_____

Signature of Notary_____ Printed Name_____

Subscribed to and sworn before me on this date: _____ (Date must be completed by Notary)

Date my Notary Commission expires: _____

Registrar's Certification

Municipality_____ Total Valid_____ Total Invalid_____

I hereby certify that the names of all petitioners listed as valid appear on the voting list as qualified to vote for Governor.

Date & Time Petiton Received

Signature of Registrar:_____

Date petition certified:_____