

Chapter 10 - ELECTIONS

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**Article 1: General Provisions**

**10- 1: Compliance with State Law.**

All elections and challenges thereto shall be in compliance with the Georgia Election Code codified at O.C.G.A. Title Twenty-One, Chapter Two.

**10- 2: General Elections.**

In accordance with Section 2.02 of the Charter, general municipal elections shall be held on the Tuesday next following the first Monday in November of each odd-numbered year.

**10- 3: Special Elections.**

Special elections shall be held as needed according to the City Charter Section 2.03 and shall be conducted in accordance with O.C.G.A. Title Twenty-One, Chapter Two.

**10- 4: Superintendents.**

The City Clerk shall serve as the Municipal Superintendent in accordance with O.C.G.A. § 21-2-70.1. The Council shall provide for the Superintendent in accordance with O.C.G.A. § 21-2-71.

**10- 5: Conducting Elections.**

The City of Brookhaven shall coordinate all elections with the DeKalb County Board of Elections and Registration. The City may contract or otherwise decide by agreement with the DeKalb County Board of Elections and Registration for that Board to coordinate and conduct all elections in the City of Brookhaven.

**Sec.s 10-6 – 10-10 : RESERVED**

**Article 2: Candidate Qualifications.**

**10-11: Candidate Requirements.**

(a) Residency: In accordance with Section 2.02 of the Charter, candidates for Mayor and City Council must have been a resident of the City for a continuous period of at least 12 months immediately prior to the date of election; and each such person shall continue to reside within the City during said period of service and shall be registered and qualified to vote in municipal elections of this City. In addition to the above requirements, no person shall be eligible to serve as a councilmember representing a council district unless that person has been a resident of the district such person seeks to represent for a continuous period of at least six months immediately prior to the date of the election for councilmember and continues to reside in such district during that person's period of service.

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(b) Age: No person shall be eligible to serve as Mayor or Council member unless that person is at least 21 years of age.

**10-12: Notice of Candidacy.**

Filing of notice of candidacy for municipal office shall be conducted in accordance with O.C.G.A. § 21-2-132 as amended. The qualifying period shall commence no earlier than 8:30 a.m. on the last Monday in August immediately preceding the general election and shall end no later than 4:30 p.m. on the following Friday. In special elections, the qualifying period shall commence no earlier than the date of the call and shall end no later than 25 days prior to the election.

**10-13: Fees.**

(a) Except as provided in subsection (b) below, each candidate shall pay a fee of 3 percent of the total salary of the office sought. Such fee shall be deposited into the City Treasury in accordance with O.C.G.A. § 21-2-131.

(b) A pauper's affidavit may be filed in lieu of the qualifying fee in accordance with O.C.G.A. § 21-2-132.

**10-14: Withdrawal.**

Any candidate may withdraw his name as a candidate prior to October 15th of the election year. No refund will be made to any candidate for the fee remitted to qualify for office.

**Sec.s 10-15 – 10-20 : RESERVED**

**Article 3: Voting.**

**10-21: Electors to Be Registered By County.**

The City Council shall provide for the use of the County voter registration list. Any person who is a resident of the City and who is registered as an elector with the County shall be eligible to vote in any municipal primary or election.

**10-22: Absentee Ballots.**

Voting by absentee ballots in a method consistent with Georgia law shall be permitted in municipal elections.

**Sec.s 10-23 – 10-30 : RESERVED**

**Article 4: Voting Records.**

**10-31: Voting Records**

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To the extent required by O.C.G.A. § 21-2-72, voting records and documents shall be made available in accordance with that statute. The maintenance of said records shall be kept in compliance with O.C.G.A. § 21-2-73.

**Sec.s 10-32 – 10-200 : RESERVED**