



ORDINANCE NO. 26-04

AN ORDINANCE TO ESTABLISH A VOTER REGISTRATION SYSTEM FOR MUNICIPAL ELECTIONS IN THE TOWN OF MILLVILLE.

WHEREAS, the Town Council of the Town of Millville (the “Town”) has the power to adopt ordinances in the interest of good government and the safety, health, and public welfare of the Town, its inhabitants, and affairs, including to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, Section 4 of the Charter of the Town of Millville (the “Charter”), provides in pertinent part that all powers conferred by the Charter, except as otherwise provided therein, shall be vested in the Town Council, and that the “Town Council shall be composed of five (5) members, each of whose terms shall be for a period of two (2) years, commencing at the Annual Meeting of the Town Council following his or her election and continuing until his or her successor is duly elected and qualified”; and

WHEREAS, Section 6 of the Charter provides in pertinent part, “At a minimum, Title 15 of the Delaware Code shall be followed where applicable”; and

WHEREAS, 15 *Del. C.* § 7554(b) contemplates a municipality’s ability to use the State’s Voter Registration System as the source of its list of registered voters, as opposed to the municipality maintaining its own voter registration system; and

WHEREAS, the Delaware Department of Elections has a voter registration system, and the Town Council finds that it is in the best interest of the Town to utilize said system;

NOW THEREFORE, be it hereby enacted by the Town Council of the Town, a majority thereof concurring therein, that the following is hereby enacted:

Section 1. Registration.

1. Except as provided in the Charter, the registration of voters in the Town for Town elections shall be governed by and conducted in accordance with the provisions of Title 15 of the Delaware Code.
2. A *bona fide* resident of the Town who meets the qualifications set forth in the Charter and who is registered to vote for elections through the Delaware Department of Elections (the “Department”) shall be deemed registered to vote in elections of the Town. A “*bona fide* resident” means a natural person who physically resides within the corporate limits of the Town with the actual intent to make that residence that person’s fixed and permanent home.
3. The Town shall use the State of Delaware’s Voter Registration System as the source of the Town’s list of registered *bona fide* resident voters. The Town, via the Town Manager, and the Department shall enter into an agreement that specifies the responsibilities of each party relating to registering voters, maintaining voter records, and providing Election Day support.
4. The Town shall maintain its own voter system as the source of the Town’s list of registered non-resident voters for matters when non-residents are eligible to vote, such a referendum on an annexation petition. The Town shall publish and post a schedule of when eligible non-resident voters may register to vote.

Section 2. Procedure. The Town Municipal Election must be conducted pursuant to Sections 5 through 7 of the Charter and Subchapters IV and V, Chapter 75 of Title 15 of the Delaware Code.

Section 3. Requirements. No person shall vote or be allowed to vote in any municipal election of the Town unless such person is properly registered to vote for state elections in accordance with Title 15 of the Delaware Code or is otherwise qualified to vote as required in the Charter.

Section 4. Voter Identification. Persons appearing to vote shall present proof of identity and address pursuant to Title 15, Chapter 75 of the Delaware Code. Once determined eligible, the voter shall print the voter’s legal name, address, and record the voter’s signature on the appropriate election document prior to voting.

Section 5. Deadlines.

1. Voters shall be required to have properly registered with the Delaware Department of Elections to be permitted to vote at a Town election.
2. Once available, absentee ballots can be mailed to registered voters who have completed the required affidavit up to eight (8) days before the election. If the registered voter needs the ballot thereafter, the voter must come to Town Hall

and pick up the ballot, to allow time for the completed ballot to be received in time for the election

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY, DELAWARE, ON THIS 27 DAY OF JANUARY, 2026.

SEAL:

MAYOR

ATTESTED:

SECRETARY

SYNOPSIS

This Ordinance outlines the procedure for voter registration for the annual municipal elections in the Town of Millville. The ordinance adopts the State's Voter Registration System, eliminating a need for voters to register with the Town as well.