

Chapter 38

ELECTIONS*

- Sec. 38-1. Absentee voting for physically incapacitated persons.
- Sec. 38-2. Ward boundaries.

.Charter references-Authority of council to regulate elections, § 2-4(6); elections generally, art. 6; recall elections, art. 7;
school district elections, art. 8.
Cross reference-Administration, ch. 2.
State law reference-Municipal elections, 11 O.S. § 16-101 et seq.

Sec. 38-1. Absentee voting for physically incapacitated persons.

(a) A registered voter who swears or affirms that he is physically incapacitated and thereby unable to vote in person at his precinct on the day of any municipal election may apply for an absentee ballot by United States mail upon a form prescribed by the secretary of the state election board or upon a written application setting forth substantially the same facts. The application must be received by the secretary of the county election board conducting the election no later than 5:00 p.m. on Wednesday preceding an election held on Tuesday, or at a like time for elections held on days other than Tuesday.

(b) When such application is received by the secretary of a county election board, it shall be his duty to verify the registration of the voter. Once such registration is verified, the secretary shall cause to be implemented the following procedure:

- (1) The chairman and vice-chairman of the county election board shall be designated as an absentee voting board. If necessary, the secretary may appoint additional absentee voting boards from among the members of precinct election boards and counters within the county, with two members of each board, each with a different political party affiliation.
- (2) On the Friday, Saturday or Monday preceding the election, the absentee voting board shall deliver, to each registered voter who has requested ballots for an incapacitated voter, ballots and materials as may be necessary to vote same. The ballots shall be removed from the back of the hook of ballots for the precinct in which the voter is registered.
- (3) The voter must mark his ballots in the manner provided for marking the ballots in the presence of the absentee voting board, but in such a manner as to make it impossible for any person other than the voter to ascertain how the ballots are marked.
- (4) The voter shall then seal the ballots in a plain opaque envelope and shall seal the

plain opaque envelope in an envelope bearing an affidavit attesting to said voter's incapacitation. The voter must complete the affidavit, and his signature on same must be witnessed by both members of the absentee voting board.

- (5) The envelope bearing an affidavit then must be sealed in another envelope, which shall be returned by the absentee voting board to the secretary of the county election board on the same day the affidavit was executed.
- (6) Members of an absentee voting board shall be reimbursed for their expenses at the rate of \$20.00 per day. One member of each such board shall also be allowed mileage and reimbursement at the rate prescribed for travel by state employees.
- (7) Ballots cast by incapacitated voters in the aforementioned manner shall be counted in the same manner as is provided for counting absentee ballots in state and county elections.

(Code 1974, § 12-1)

Charter reference-Absentee ballots, § 6-10.

Sec. 38-2. Ward boundaries.

The ward boundaries of the city are as follows:

- (1) *First ward.* Said ward shall begin at the intersection of the center of the north-south right-of-way of the Union Pacific Railroad and the center of the right-of-way of Gene Stipe Boulevard; thence southerly along the center of the right-of-way of the Union Pacific Railway to its intersection with the center of the right-of-way of Washington Avenue; thence easterly along the center of the right-of-way of Washington Avenue to its intersection with the eastern city limits; thence northerly along the eastern city limits to its intersection with the center of the right-of-way of Gene Stipe Boulevard; thence westerly along the center of the right-of-way of Gene Stipe Boulevard to its intersection with the center of the right-of-way of 15th Street; thence northerly along the center of the right-of-way of 15th Street to its

intersection with the center of the right-of-way of Keller Avenue; thence westerly along the center of the right-of-way of Keller Avenue to its intersection with the center of the right-of-way of 11th Street; thence southerly along the center of the right-of-way of 11th Street to its intersection with the center of the right-of-way of Gene Stipe Boulevard; thence westerly along the center of the right-of-way of Gene Stipe Boulevard to the point of beginning.

- (2) *Second ward.* All that part of the city south and east of the following described line: beginning at the intersection of the center of the right-of-way of Business US 69 Highway and the center of the right-of-way of Oklahoma Avenue; thence easterly along the center of the right-of-way of Oklahoma Avenue to its intersection with the center of the right-of-way of 5th Street; thence northerly along the center of the right-of-way of 5th Street to its intersection with the center of right-of-way of Indiana Avenue; thence easterly along the center of the right-of-way of Indiana Avenue to its intersection with the center of the right-of-way of 9th Street; thence northerly along the center of the right-of-way of 9th Street to its intersection with the center of the right-of-way of South Avenue; thence easterly along the center of the right-of-way of South Avenue to its intersection with the easterly city limits.
- (3) *Third ward.* All that part of the city south and west of the following described line: beginning at the intersection of the center of the right-of-way of the Chicago Rock Island and Union Pacific Railway and the center of the right-of-way of West Street; thence easterly along the center of the right-of-way of the Chicago Rock Island and Union Pacific Railway to its intersection with the center of the north-south right-of-way of the Union Pacific Railway; thence southerly along the center of the right-of-way of the Union Pacific Railway to its intersection with the center of the right-of-way of Ottawa Avenue; thence

easterly along the center of the right-of-way of Ottawa Avenue to its intersection with the center of the right-of-way of 2nd Street; thence southerly along the center of the right-of-way of 2nd Street to its intersection with the center of the right-of-way of Miami Avenue; thence easterly along the center of the right-of-way of Miami Avenue to its intersection with the center of the right-of-way of 9th Street; thence southerly along the center of the right-of-way of 9th Street to its intersection with the center of the right-of-way of Indiana Avenue; thence westerly along the center of the right-of-way to Indiana Avenue to its intersection with the center of the right-of-way of 5th Street; thence southerly along the center of the right-of-way of 5th Street to its intersection with the center of the right-of-way of Oklahoma Avenue; thence westerly along the center of the right-of-way of Oklahoma Avenue to the center of the right-of-way of US 69 Business Highway.

- (4) *Fourth ward.* All that part of the city north of the center of the southerly east-west right-of-way of the Union Pacific Railway and west of the following described line: beginning at the intersection of the center of the southerly east-west Union Pacific Railway right-of-way and the center of the Union Pacific Railway north-south right-of-way; thence northerly along the center of the Union Pacific Railway north-south right-of-way to its intersection with the center of the right-of-way of Gene Stipe Boulevard; thence westerly along the center of the right-of-way of Gene Stipe Boulevard to the center of the right-of-way of Hickory Street; thence northerly along the center of the right-of-way of Hickory Street to the center of the right-of-way of Stonewall Avenue; thence westerly along the center of the right-of-way of Stonewall Avenue to its intersection with the center of the right-of-way of Talawanda Street; thence northerly along the center of the right-of-way of Talawanda Street to its intersection with the city limits.

(5) *Fifth ward.* All that part of the city generally north and east of the following described line: beginning at the intersection of the north city limits and the center of the right-of-way of Talawanda Street; thence southerly along the center of the right-of-way of Talawanda Street to its intersection with the center of the right-of-way of Stonewall Avenue; thence easterly along the center of the right-of-way of Stonewall Avenue to its intersection with the center of the right-of-way of Hickory Street; thence southerly along the center of the right-of-way of Hickory Street to its intersection with the center of the right-of-way of Gene Stipe Boulevard; thence easterly along the center of the right-of-way of Gene Stipe Boulevard to its intersection with the right-of-way of 11th Street; thence northerly along the center of the right-of-way of 11th Street to its intersection with the center of the right-of-way of Keller Avenue; thence easterly along the center of the right-of-way of Keller Avenue to its intersection with the center of the right-of-way of 15th Street; thence southerly along the center of the right-of-way of 15th Street to its intersection with the right-of-way of Gene Stipe Boulevard; thence easterly along the center of the right-of-way of Gene Stipe Boulevard to its intersection with the easterly city limits.

(6) *Sixth ward.* All that part of the city within the following described boundaries: beginning at the intersection of the easterly city limits and the center of the right-of-way of Washington Avenue; thence westerly along the center of the right-of-way of Washington Avenue to its intersection with the center of the north-south right-of-way of the Union Pacific Railway; thence southerly along the right-of-way of the Union Pacific Railway to its intersection with the center of the right-of-way of Ottawa Avenue; thence easterly along the center of the right-of-way of Ottawa Avenue to its intersection with the right-of-way of 2nd Street; thence southerly along the center of the right-of-way of 2nd Street to

its intersection with the right-of-way of Miami Avenue; thence easterly along the center of the right-of-way of Miami Avenue to its intersection with the right-of-way of 9th Street; thence southerly along the center of the right-of-way of 9th Street to its intersection with the center of the right-of-way of South Avenue; thence easterly along the center of the right-of-way of South Avenue to its intersection of the easterly city limits.

(Ord. No. 1874, § 2, 11-26-91; Ord. No. 2003, § 1, 8-24-93; Ord. No. 2082, § 1, 5-12-98; Ord. No. 2132, § 2, 6-12-01)

Charter references-Wards to be constituted by ordinance, § 2-1(A); wards, § 2-1.

Chapters 39-41

RESERVED