


TOWN OF OCEAN VIEW
DELAWARE

March 27, 2026

TO: Mayor and Council

FROM: Carol S. Houck, Town Manager 

SUBJECT: Support Requested of Charter Change Amendment – Councilperson Filing Deadline

Background

In organizing the details of this years Council elections it became evident that one current aspect of our Charter related to the deadline of filing for a Council seat has the potential of being problematic, while appearing to provide no benefit. More specifically, the allowance for those wishing to run for a Council seat is within 30 days of the election, while the filing for Mayor is 45 days.

In recent years, at the advice of Counsel (full transparency and separation of duties), we began utilizing the services of the League of Women Voters (LWV's) to offer and conduct our candidate's night, versus our Election Committee. Candidates night offers community members the opportunity to meet, hear directly from and ask the candidates questions in advance to voting. This of course requires engagement with the LWV's and coordination of dates, their volunteers, a moderator, candidate availability, publicity, etc.

The shorter time frame for Council members to file puts us at a disadvantage, as it requires us to wait 15 days after Mayoral filings before arrangements can be made and dates confirmed with all candidates.

Recommendation

It is therefore recommended that Mayor and Council support our request by resolution to the State Legislature (attached) requesting an amendment to our Charter that allows for both Mayoral and Council filings to be made 45 days in advance of the Town election date.

A RESOLUTION PROPOSING AN AMENDMENT TO THE CHARTER OF THE TOWN OF OCEAN VIEW RELATING TO THE FILING DEADLINE FOR TOWN COUNCIL CANDIDATES

WHEREAS, the Town of Ocean View is authorized to amend its Charter by action of the Town Council and subsequent enactment by the Delaware General Assembly; and

WHEREAS, the current Charter requires candidates for Town Council to file a notice of candidacy not less than thirty (30) days prior to the annual municipal election; and

WHEREAS, the Town Council finds that increasing the filing deadline to forty-five (45) days prior to the election will:

- Provide additional time for administrative review of candidate qualifications;
- Improve election planning and preparation; and
- Promote consistency with filing deadlines for other elective offices;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Ocean View:

Section 1. Approval of Proposed Charter Amendment

The Town Council hereby approves a proposed amendment to the Charter of the Town of Ocean View, Section 2.509 Nominating Procedure, to revise the filing deadline for candidates for the office of Town Council from thirty (30) days to forty-five (45) days prior to the date of the annual municipal election.

Section 2. Form of Amendment

Amend § 2.509 of the Charter of the Town of Ocean View (relating to “Notice of Candidacy”) by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 2.509 Nominating Procedure. Persons may be nominated for Town Council in the Town of Ocean View by the filing of a Certification of Intent and by the payment of a Fifty Dollar (\$50) filing fee with the Board of Elections at least ~~thirty~~ **forty-five (45)** days prior to the date of election and for Mayor at least forty-five (45) days prior to the date of election and by observance of such other requirements as may be imposed by the Council by ordinance. The Town Manager

shall cause a Notice of Solicitation of Candidates to be conspicuously posted at least twenty (20) days in advance of the nomination date for Mayor or Town Council. The Certificate of Intent shall contain the following: the office which the candidate is seeking; the name and signature of the candidate; the election district in which the candidate resides. No person shall file for nomination for more than one (1) elective office or hold more than one (1) elective public office at any one (1) time.

Section 3. Authorization to Proceed

The Town Council hereby authorizes and directs:

- The Town Manager and/or Town Solicitor to:
 - i. Prepare final legislative language in proper form;
 - ii. Coordinate with the Delaware Legislative Council for drafting assistance if needed;
- The Mayor or other designated official to:
 - i. Transmit the proposed amendment to members of the Delaware General Assembly representing the Town;
 - ii. Request introduction and passage of the amendment during the next legislative session;

Section 4. Public Notice

The Town Council directs that public notice of this proposed amendment be provided, and that the resolution be considered at a public meeting in accordance with applicable law.

Section 5. Effective Date

This Resolution shall take effect immediately upon adoption.

TOWN OF OCEAN VIEW

By: _____
Mayor

Attest: _____
Town Clerk

Introduction:

First Reading:

Second Reading: