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## Coates' Canons Blog: The Screwy City Election Schedule

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In even-numbered years, it's pretty easy to tell when elections will happen. In May of 2012, for instance, there will be primary elections for congressional seats and North Carolina legislative seats and governor and attorney general and judges and county commissioners and just about every office other than mayors and city councils. Then in November there will be a general election to elect candidates to those offices. Lots of offices and lots of candidates, but a pretty straightforward schedule.

In odd-numbered years, however, the election schedule seems to fracture. Within a single county, one town may hold an election in September and all the other towns hold theirs in November. The roads may sprout candidates' signs in Charlotte in late August while in Chapel Hill nobody puts up a sign until October. Newspapers seem to be reporting election results over a period of many weeks. What gives?

In fact, the odd-year election schedule *is* fractured. There are four different kinds of elections that a North Carolina municipality may use, and the kind of election determines when, and how often, its voters will go to the polls.

**Non-partisan plurality elections.** The simplest and by far most common kind of city election in North Carolina is the non-partisan plurality election. Candidates are not identified on the ballot by party. That's what is meant by non-partisan. And the person who gets the most votes wins, even if it's very close and even if the leader's total is nowhere near a majority. That's what is meant by plurality.

In the overwhelming majority of towns using this election method, there is one plurality election for mayor and one plurality election for city council. The mayor candidate who gets the most votes wins. If there are three seats open on the city council, the three candidates who finish first, second, and third win. In some cities, however, the council members are elected from districts (or "wards") and so there will be as many separate plurality elections as there are seats open and the one candidate in each district with the most votes wins.

The non-partisan plurality method requires only one round of voting. It happens on the first Tuesday after the first Monday in November, the traditional election day. In 2011, that is November 8.

There are about 550 cities in North Carolina, and around 500 use the non-partisan plurality method, the largest of which is Wilmington at just over 100,000 population. Nearly all small towns use it, for its simplicity and low cost.

**Non-partisan primary and election.** In the second kind of municipal election, there is a first round of voting in October to narrow the field to two candidates for each office. Suppose four candidates file to run for mayor. Four weeks before the regular November election day those four candidates run together in a primary and the two with the most votes advance to the election in November. The same holds for candidates running for council seats from districts.

It's slightly more complicated when several council seats are being voted on at large, not from individual-seat wards. In that case, the primary is held to reduce the number of candidates to twice the number of seats being filled, to get, for example, from nine candidates to four if there are two seats open.

In 2011, the non-partisan primary vote was held on October 11.

If only two candidates file for a seat (or no more than twice the number of at-large seats being filled), then no non-partisan primary is held and the only vote is in November. But, of course, there could be a primary in October for mayor and not for

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council, or the other way around. Screwy.

In North Carolina, 21 cities use the non-partisan primary and election method, including Greensboro, Durham, and Fayetteville.

**Non-partisan election and runoff.** In the third kind of municipal election, there is a first round of voting in October, and maybe a second in November, depending on the results. If no candidate receives a majority of the vote in October (that is, 50% of the vote plus one vote), then there is a runoff between the two top candidates. In that case, the non-partisan election and runoff method works the same way as the non-partisan primary and election method. The first vote (the “election”) is in October and the second vote (the “runoff”) is on general election day in November.

A candidate who does receive more than 50% of the vote in the October election, however, wins and there is no runoff. In that case, the only vote is in October and there is no voting on November election day. This is the screwiest outcome of them all.

Of course, it could be that a candidate gets a majority in the mayor race, so there is no mayor election in November, but candidates failed to get a majority in council races, so there is a council election in November. Or the other way around.

The statutes spell out how to determine whether candidates have received a majority when there are several seats being voted on together at-large, and elections officials have to take special care in doing the math in those instances.

In North Carolina, 21 cities use the non-partisan election and runoff method, including Raleigh and Cary.

**Partisan elections.** The fourth method of municipal elections works just like the regular partisan elections that we use to elect most other offices—governor and legislator and sheriff and county commissioner. Candidates run in Democratic and Republican party primaries and the winners of the primaries face each other in the general election. The party primaries are held on the second Tuesday after Labor Day. In 2011 that was September 13.

Just as with other partisan elections for other offices, a candidate must receive more than 40% of the vote to win the party primary (that is, a “substantial plurality”). If no candidate receives at least that much, then the candidate who finishes second can call for a second primary against the first-place finisher. That second primary, if necessary, is held on the same day in October as the non-partisan October votes.

In North Carolina, six cities use the partisan election method, including Charlotte and Winston-Salem.

So there you have it, a fractured municipal election schedule. In September, there are partisan primaries in a few cities. In October there are partisan second primaries, non-partisan primaries, and non-partisan elections. And in November there are partisan elections, non-partisan elections, and non-partisan runoffs. And in some cities, there may not even be a vote in November.

Fortunately, your county board of elections knows when to open the polls.