§ 15-108. Designation and nomination of candidates. 1. Nominations of candidates for elective village offices shall be made as provided in this section.

2. a. Party nominations of candidates for village offices in any county shall be made at a party caucus or, if the rules of the county committee, heretofore or hereafter adopted consistent with the provisions of this chapter so provide, at a primary election. If the rules of the county committee of any political party provide that party nominations for village offices of that party in any or all villages in the county shall be made at a village primary election, such primary election shall be held forty-nine days prior to the date of the village election. In the event there is no village committee with a chairman, the chairman of the county committee or such other person or body as the rules of such committee may provide, shall designate an enrolled member of the party who is a qualified voter of the village as the village election chairman. Such village chairman shall have general party responsibility for the conduct of the village caucus or primary election. For the purposes of this section, a village shall be deemed to be located within a county for the purposes of county political organization if more than fifty percent of the population of the village as shown by the last federal decennial, or special census resides in that portion of the village located in that county. Such nomination shall be made not more than fifty-six, nor less than forty-nine days prior to the date of the village election.

b. A notice of any village primary held for making party nominations of candidates for village offices to be filled at a village election shall be given by the proper party authorities by publication at least once in each of the two weeks preceding the primary in at least one newspaper of general circulation within the village.

c. A notice of any party caucus held for making party nominations for village offices for village elections shall be given by the proper party authorities by posting such notice in the public areas at the offices of the village clerk and by filing such notice with such clerk at least ten days preceding the day of the caucus and, either by newspaper

publication thereof once within the village at least one week and not more than two weeks preceding the caucus, or by posting such notice in six public places in the village at least ten days preceding the day of the caucus.

d. The notice shall specify the time and place or places, and the purpose of such caucus or primary, including the offices for which candidates will be nominated thereat. For such village primary or caucus there shall be one or more polling places in each subdivision from which a candidate is nominated. There shall be a chairman and a secretary and tellers for each such village primary or caucus, who shall be appointed by the appropriate party officials. No person shall participate in such primary or caucus who is not a resident of the village and an enrolled voter of the party conducting the primary or caucus. At any primary or caucus in which nominees are chosen by vote of the people in attendance, the person eligible and receiving the highest number of votes for an office shall be deemed nominated. Such village primary or caucus shall not be conducted at any expense to the village.

e. Any party nomination made at any such caucus or village primary shall be evidenced by the filing with the village clerk of a certificate of nomination in the form prescribed by this chapter, as provided in subdivision seven of this section. There shall be filed, together with such certificate, or within five days after the village clerk sends the notice of failure to file prescribed by this paragraph, a list of enrolled members of the party who have participated in such caucus or primary. If such list is not filed with such certificate, the village clerk shall forthwith send notice of the failure to file such list to the persons who signed such certificate, by first class mail, together with a notice that such list must be filed within five days after such notice was mailed. Such list shall be certified by the presiding officer or secretary of such caucus or primary.

3. a. Party designations for elective village offices shall be made on a designating petition containing the signatures in ink of residents of the village who are registered to vote with the appropriate county board of elections at the time of signing and who are enrolled in such

political party. The sheets of such a petition shall be numbered. Such petition must set forth in each instance the correct date of signing, the name of the signer, and his or her present address, and may set forth a committee to fill vacancies consisting of at least three qualified voters of the village enrolled in such party and their residence within the village. A signer need not himself or herself fill in the date or residence. Each sheet of such petition must be in substantially the following form and shall contain all the information required therein:

PARTY DESIGNATING PETITION

I, the undersigned do hereby state that I am a registered voter of the Village of ..... and a duly enrolled voter of the ..... party and entitled to vote at the next primary election of such party, that my place of residence is truly stated opposite my signature hereto, and I hereby designate the following named person (or persons) as a candidate (or candidates) for nomination of such party for the public office (or public offices) to be voted for at the primary election to be held on the ..... day of ..... 20.... as hereinafter specified.

Name of Candidate	Public Office (include district number, if applicable)	Term	Residence
.....	.....	.....	.....
.....	.....	.....	.....

I do hereby appoint (insert names and addresses of at least three persons, all of whom shall be enrolled voters of said party) as a committee to fill vacancies in accordance with the provisions of the election law.

IN WITNESS WHEREOF, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name	Residence
.....	.....	.....
.....	.....	.....

STATEMENT OF WITNESS

I ..... (name of witness) state: I am a duly qualified voter of the State of New York; and an enrolled voter of the ..... party. I now reside at .....(residence address). Each of the persons whose names are subscribed to this petition sheet containing ..... signatures, subscribed his or her name in my presence.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

b. Notwithstanding any other provision of law, the number of signatures required on a designating petition shall be five percent of the number of enrolled voters of the party residing in the village. For the purpose of determining the number of enrolled voters of a party residing in the village, the clerk shall be furnished with an official certified list of all such enrolled party voters residing in the village by the county board of elections of the county in which all or part of the village is located. Such list shall be filed in the village clerk's office and shall be available upon request for inspection by any interested person.

4. Independent nominations for elective village offices shall be made by a petition containing the signatures in ink of residents of the village who are registered with the appropriate county board of elections at the time of signing or who are residents of the village who were on the list of registered voters for the last village election in such village. The sheets of such a petition shall be numbered. Such petition must set forth in each instance the correct date of signing, the name of the signer and his or her present address, and may set forth a committee to fill vacancies consisting of at least three persons qualified to vote in the village election and their residence within the village. A signer need not himself or herself fill in the date or residence. Each sheet of such petition must be in substantially the following form and shall contain all the information required therein

except as may otherwise be permitted by law.

VILLAGE INDEPENDENT NOMINATING PETITION

I, the undersigned, do hereby state that I am a registered voter of the Village of ....., that my present place of residence is truly stated opposite my signature, and I do hereby nominate the following named person (or persons) as a candidate (or as candidates) for election to public office (or public offices) to be voted for at the election to be held on the ..... day of ....., 20....., and that I select the name ..... (fill in name) as the name of the independent body making the nomination (or nominations) and ..... (fill in emblem) as the emblem of such body.

Name of Candidate	Public Office (include district number, if applicable)	Term	Residence
.....	.....	.....	.....
.....	.....	.....	.....

I do hereby appoint _ _ _ _

Name	Residence
.....	.....
.....	.....

as a committee to fill vacancies in accordance with the provisions of the election law.

IN WITNESS WHEREOF, I have signed this petition on the day and year stated before my signature.

Date	Signature	Residence
.....	.....	.....
.....	.....	.....

STATEMENT OF WITNESS

I, ... state that I am a duly qualified voter of the State of New York. I now reside at ..... (residence address). Each of the voters whose names are subscribed to this petition sheet, containing ..... (fill in number) signatures, subscribed his or her name in my presence.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date ....
Signature of Witness

5. The name selected for the independent body making the nomination shall be in the English language and shall not include the name or part of the name, or an abbreviation of the name or of part of the name, of a then existing party. The name and emblem shown upon such petition shall conform to the requirements of this chapter, relating to party names and party emblems. If such a petition shall not show an emblem, or the petition shall fail to select a name for such independent body, the village clerk shall select an emblem or name, or both to distinguish the candidates nominated thereby.

6. An independent nominating petition for a village office must be signed by at least one hundred voters in villages containing a population of five thousand or more; by at least seventy-five voters in villages containing a population of three thousand and less than five thousand; and by at least fifty voters in villages containing a population of one thousand and less than three thousand; and in villages containing a population of less than one thousand by voters numbering at least five per centum of the number of voters at the last regular village election. For the purposes of this section, the population of a village shall be determined by the last federal decennial or local special population census federally supervised pursuant to section twenty of the general municipal law.

7. a. A certificate of party nomination for an office to be filled at the time of a general or special village election for offices shall be filed not earlier than fifty-four days nor later than forty-seven days preceding the election.

b. A certificate of acceptance or declination of a party nomination for an office to be filled at the time of a general or special village election shall be filed not later than forty-four days prior to such election.

c. A certificate to fill a vacancy caused by declination of a party nomination for an office to be filled at the time of a general or special village election shall be filed not later than forty-one days prior to such election.

d. Party designating petitions for a village primary election shall be filed in the office of the village clerk not earlier than twenty-two days nor later than fifteen days prior to the primary election. Upon such a filing, the village clerk shall immediately notify the village election chairman of such party and the person or persons designated in such petition of the fact of such filing and that such petition may be inspected in his office.

(e) A written declination of a party designation must be filed in the office of the village clerk within three days of the date of the filing of the designating petition. Upon the filing of such declination, the village clerk shall, within one day notify the committee to fill vacancies named in the petition. A certificate to fill the vacancy caused by a declination or any other reason must be filed with the village clerk within three days after the date of the notice to the committee to fill vacancies and shall have appended thereto the written consent of the person or persons designated.

8. a. An independent nominating petition for an office to be filled at the time of a general or special village election shall be filed not earlier than forty-two days nor later than thirty-five days preceding the election.

b. A certificate of acceptance or declination of an independent nomination for an office to be filled at the time of a general or special village election shall be filed not later than three days after the last day to file the petition which made such independent nomination.

c. A certificate to fill a vacancy caused by a declination of an independent nomination for an office to be filled at the time of a general or special village election for offices shall be filed not later than three days after the last day to file the certificate of declination, and shall have appended thereto the written consent of the person or persons nominated.

9. Any village resident who is a registered voter of the village and, in the case of a designating petition, an enrolled member of the party filing the petition, may sign an independent nominating petition or a designating petition providing that: (a) such signature was not made more than six weeks prior to the last day to file such petition; (b) he has not signed more than one petition designating or nominating a candidate for mayor or village justice. If he has signed more than one such petition, only the earliest signature for each such office shall be valid; (c) he has not signed more than one petition designating or nominating a candidate for each vacancy which exists for the office of village trustee or village justice if the village has provided for two such justices. If he has signed more than one such petition for each such vacancy, only the earlier signatures shall be valid; or (d) he does not vote at a primary election or party caucus where a candidate was nominated for the same office or each such vacancy.

10. A written objection to an independent nominating petition, designating petition or certificate of nomination shall be filed in the office of the village clerk no later than one day following the last date upon which such petition or certificate may be filed or within one day after such petition or certificate is received by the village clerk, if such petition or certificate is mailed as provided by law, whichever is later. Written specifications of the grounds of the objections shall be filed with the village clerk within two days after the filing of the written objection. A failure to file such written specifications shall render the original objection null and void. Upon receipt of such written specification, the village clerk shall forthwith notify each candidate named in the petition or certificate and shall notify the county board of elections of the county in which the village is located.

For purposes of this section, a village shall be deemed to be located within a county if more than fifty percent of the population of the village as shown by the last federal decennial or special census resides in that portion of the village located in that county. Upon receipt of the written specifications as herein required, the county board of elections shall immediately take all steps necessary and consistent with this chapter to render a determination on the questions raised in such objections and specifications. When a determination has been made by the county board of elections that the petition is sufficient or insufficient, it shall immediately notify the village clerk and each candidate named in the petition or certificate, and, if such determination was made on objection, the objector.