§ 175. Election of fire district officers. 1. An annual election shall be held in each fire district on the second Tuesday in December, except that in the Ocean Bay Park fire district, the Lonelyville fire district, the Davis Park fire district, the Cherry Grove fire district, the Fair Harbor fire district and the Fire Island Pines fire district, Suffolk county, such annual election shall be held on the second Tuesday in July, except that in the town of Salisbury, Herkimer county, such annual election shall be held on the Tuesday next succeeding the first Monday in November from six o'clock in the morning until nine o'clock in the evening and except that in the Belfast fire district, Allegany county, such annual election shall be held on the first Tuesday in December. The board of fire commissioners shall give notice thereof by the publication of a notice once in one or more newspapers having a general circulation in the district. The first publication of such notice shall be not less than twenty-seven days and not more than thirty-four days prior to the date of such election. Such notice shall specify the time when and the place where such election will be held, the officers to be elected thereat and their terms of office, and the hours during which the polls will be open for the receipt of ballots. The secretary of such fire district shall prepare the ballots for all elections of fire district officers and the polls shall remain open for the receipt thereof at all elections of fire district officers from six o'clock in the evening until nine o'clock in the evening and such additional consecutive hours prior thereto as the board of fire commissioners of such district may have determined and specified in the notice thereof. The board of fire commissioners shall designate a resident fire district elector, who shall be a registered voter of the town, to act as chairman of any election of said district and shall designate not less than two nor more than four resident fire district electors, who shall be registered voters of the town to act as election inspectors and ballot clerks at such elections. No elective officer of the fire district shall serve as such chairman or as an election inspector or ballot clerk. The board of fire commissioners may adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election of the fire district. Such resolution, if adopted, shall fix the amount of such compensation, as follows: if the hours during which the polls will be

open for the receipt of ballots are from six o'clock in the evening until nine o'clock in the evening, a sum not to exceed seventy dollars for each such official; if additional consecutive hours prior to six o'clock in the evening are determined and specified in the notice of election, a sum not to exceed one hundred dollars for each such official.

2. Every elector of the town who shall be a registered voter and who shall have resided in the district for the period of thirty days next preceding any election of fire district officers shall be qualified to vote for such officers. Every elector of the town who shall be a registered voter and who shall have resided in the fire district for the period of thirty days next preceding any election at which a proposition shall be submitted, shall be qualified to vote upon such proposition.

3. Every fire district commissioner, treasurer and secretary must at the time of his election or appointment and throughout his term of office be a resident of such fire district. Membership in a volunteer fire company shall not disqualify any such fire district commissioner, treasurer or secretary. A person who has been convicted of arson in any degree shall not be eligible for election or appointment to the office of fire district commissioner, treasurer or secretary. Any fire district commissioner, treasurer or secretary who is convicted of arson in any degree during his term of office shall be disqualified from completing such term of office.

4. There shall be conspicuously placed, by the resident fire elector, distance markers at a distance of one hundred feet from the polling place. Such distance markers shall be so placed at least one-half hour before the opening of the polls and shall remain until such polls are closed. The one hundred foot distance shall be deemed to include a one hundred foot radial measured from the entrances, designated by the resident fire elector, to a building where such election is being held. While the polls are open no person shall do any electioneering within the polling place, or in any public street within the one hundred foot radial, or within such distance in any place in a public manner. No electioneering banner, button, poster or placard on behalf of or in

opposition to any candidate or issue to be voted upon shall be allowed in or upon the polling place or within such one hundred feet therefrom during the election. Any person who willfully violates the provisions of this subdivision shall be guilty of a misdemeanor.

5. All official ballots shall remain in the custody of election inspectors within the polling place from the opening of the polls until the announcement of the result of the canvass and the signing of the inspectors' returns thereof. After the polls shall have been closed at any election held for the election of fire district officers or to vote upon a proposition, the election inspectors and ballot clerks shall immediately canvass publicly the ballots cast and the chairman of the election shall publicly announce the result. Within seventy-two hours thereafter, the chairman, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the board of fire commissioners and with the town clerk of each town in which said district or any part thereof may be located.

6. If in any fire district the number of voters is so great as to render it inexpedient or impossible to conduct the election at one polling place, the board of fire commissioners may divide the fire district into election districts and provide a polling place for each such election district, provided, however, that the number of election districts in any fire district shall not exceed one for each six hundred electors plus one for a remaining fraction of six hundred. In such event, the notice specified in subdivision one of this section shall describe the election districts and state where the polling places will be located, and the board of fire commissioners shall designate not less than two nor more than four resident fire district electors, who shall be registered voters of the town, to act as election inspectors and ballot clerks at each such polling place. The board of fire district commissioners may adopt a resolution providing that such election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election of the fire district. Such resolution, if adopted, shall fix the amount of such compensation as follows: if the hours during which the polls will be open for the receipt of ballots are from six o'clock in the evening

until nine o'clock in the evening, a sum not to exceed seventy dollars for each such official; if additional consecutive hours prior to six o'clock in the evening are determined and specified in the notice of election, a sum not to exceed one hundred dollars for each such official. No elective officer of the fire district shall serve as an election inspector or ballot clerk.