

**TOWN COUNCIL OF CENTREVILLE
RESOLUTION 13-2020**

A RESOLUTION OF THE TOWN COUNCIL OF CENTREVILLE FOR THE PURPOSE OF AMENDING THE TOWN CHARTER TO REVISE THE PROCESS FOR FILLING VACANCIES ON THE COUNCIL; AND MATTERS GENERALLY RELATED THERETO

WHEREAS, the Town Council has the authority under Article XI-E, Section 4 of the Maryland Constitution which allows for the adoption of a new charter, the amendment of any charter or local laws, or the repeal of any part of a charter or local laws; and

WHEREAS, the Town Council has the authority under Section 4-301 et. seq. of the Local Government Article of the Annotated Code of Maryland, which describes the process of charter amendment by resolution; and

WHEREAS, with the current language in the charter regarding a vacancy on the Town Council, the Town Council of Centreville is concerned that a special election could be so close to a regular election that it could affect candidates' eligibility for Town Council seats; and

WHEREAS, now that there are 5 (five) Council members, the impact of a vacancy on the Council is not as acute as when there were 3 (three) Council members; and

WHEREAS, the Town Council of Centreville believes that it is in the best interest of the citizens to amend Section 414 of the Charter of the Town of Centreville.

NOW THEREFORE,

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL OF CENTREVILLE, that Section 414 of the Centreville Town Charter be amended as follows:

Section 414 Vacancies.

Vacancies on the Council for any reason shall be filled in one of the ways prescribed below. All appointments or elections shall be only for the unexpired portion of that term.

- (a) If the remainder of the term is less than **180** days [[six months]], the Council shall appoint some qualified person to serve the remainder of the term. [[If this appointment is not made by the Council within the first 30 days of the vacancy, a special election to fill the vacancy shall be held not less than 60 nor more than 90 days following the occurrence of the vacancy.]]
- (b) If the remainder of the term is more than **180 days** [[six months]], **and if the regular Town election is less than 180 days away, the vacancy will be filled at the next regular election. If the regular Town election is 180 or more days away,** a special election to fill the vacancy shall be held not less than 60 nor more than 90 days following the occurrence of the vacancy.

New material is **bold underlined**, and material to be deleted is enclosed in double bold faced brackets [[]].

Section 2. AND BE IT FURTHER RESOLVED that the date of passage of this Resolution is January 21, 2021, and the amendment of the Charter of the Town of Centreville hereby enacted shall become effective upon March 12, 2021 (the fiftieth day after passage), unless a proper petition for referendum

hereon shall be filed with the Town Council on or before the fortieth day after passage in the form and in the manner prescribed in Section 4-304(d) of the Local Government Article of the Annotated Code of Maryland.

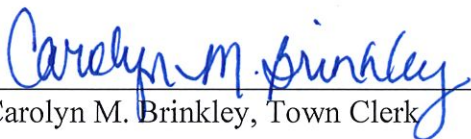
Section 3. AND BE IT FURTHER RESOLVED that the Town Manager shall cause a full and exact copy of the Resolution to be continuously posted on the bulletin board of the Town Hall until March 2, 2021 (the fortieth day after passage) and that the Town Manager shall further cause a fair summary of the charter amendment enacted by this Resolution to be published in a newspaper of general circulation in the Town of Centreville at weekly intervals in each of the weeks of January 29, 2021, February 5, 2021, February 12, 2021 and February 19, 2021 and that the Town Clerk shall cause to be affixed to the minutes of this meeting appropriate certificates of publication and posting.

Section 4. AND BE IT FURTHER RESOLVED that the Town Council of Centreville is hereby authorized and enjoined to declare this Resolution to be effective by affixing their signatures hereto in the space provided on the effective date hereof.

Section 5. AND BE IT FURTHER RESOLVED THAT as soon as the Charter Amendment hereby enacted becomes effective (whether as herein provided or by referendum), the Town Manager shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution and any referendum held thereon as may be required by Sections 4-109 and 4-308 of the Local Government Article of the Annotated Code of Maryland.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE



Carolyn M. Brinkley, Town Clerk



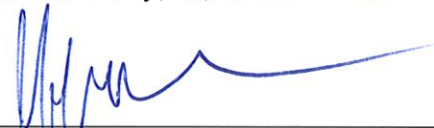
Timothy E. McCluskey, President



Steven K. Kline, Vice President



Robert R. Hardy, Jr., Member



Jeffrey D. Kiel, Member



Shelby C. Anania, Member