

**TOWN COUNCIL OF CENTREVILLE
RESOLUTION 05-2017**

**A RESOLUTION OF THE TOWN COUNCIL OF CENTREVILLE FOR THE PURPOSE
OF AMENDING THE TOWN CHARTER TO ESTABLISH A PROCEDURE FOR
RESOLVING A TIE VOTE IN AN ELECTION FOR A TOWN COUNCIL MEMBER
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, the Town Council has the authority under Section 4-108.4 of the Local Government Article of the Annotated Code of Maryland that a municipality shall fill a vacancy that resulted from a tie vote in an election for a municipal office within 90 days after the date of the election; and

WHEREAS, Section 420 will be added to the Town Charter to clearly define the procedure for resolving a tie vote in an election for a municipal officer; and

WHEREAS, the Town Council of Centreville concurs with the recommendations of this Resolution;

NOW THEREFORE,

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL OF CENTREVILLE, that Section 420 of the Centreville Town Charter be amended as shown on Exhibit A, attached hereto, with new material 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 March 2, 2017, and the amendment of the Charter of the Town of Centreville hereby enacted shall become effective upon April 21, 2017 (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 April 11, 2017 (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 March 10, 2017, March 17, 2017, March 24, 2017 and March 31, 2017 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.

THE TOWN COUNCIL OF CENTREVILLE

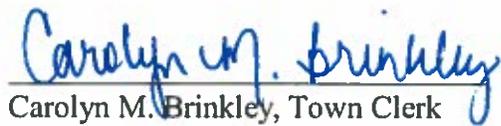


George G. Sigler, President



Timothy E. McCluskey, Vice President

ATTEST:



Carolyn M. Brinkley, Town Clerk



Jim A. Beauchamp, Council Member

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Section 420. Tie Votes.

In the case of a tie between candidates receiving the highest number of votes for the position Council Member, which would result in one (1) or more of the Council Member candidates not being seated in any election, the Council Members shall at the first regular meeting following the election schedule a special election between the persons receiving the tie vote for the position of Council Member, as the case may be, to be held within forty-five (45) days after the date of the election. The special election shall be conducted in accordance with Section 411 of this Charter.