

**TOWN COUNCIL OF CENTREVILLE
RESOLUTION 07-2020**

**A RESOLUTION OF THE TOWN COUNCIL OF CENTREVILLE FOR THE
PURPOSE OF AMENDING THE TOWN CHARTER TO REVISE THE PROVISIONS
RELATED TO TIE VOTES 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 of Centreville held a referendum election on increasing the number of Council Members from three to five members; and

WHEREAS, the voters of the Town of Centreville approved the increase in the number of Council Members from three to five; and

WHEREAS, the change in the number of council members necessitates additional amendments to the charter to implement the change from three to five Council Members; and

WHEREAS, the Town Council of Centreville formed a six-member committee of residents to evaluate various alternatives to those additional charter amendments and to provide some recommended alternatives to the Town Council (the "Council of Five Committee"); and

WHEREAS, the Council of Five Committee presented their recommended alternatives to the Town Council on February 20, 2020; and

WHEREAS, the Town Council wishes to amend Section 420 of the Charter of the Town of Centreville to address tie votes.

NOW THEREFORE,

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL OF CENTREVILLE, that Section 420 of the Centreville Town Charter be amended as follows:

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 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 Members, as the case may be, to be held within 45 days after the date of the election. The special election shall be conducted in accordance with Section 411 of this Charter. **In the event of a tie in the 2020 election for the Council Member that is elected for the two-year term, the candidates shall be given**

an opportunity to resolve the tie among themselves. If they are unable to do so, the Council Members shall, at the first regular meeting following the election, schedule a special election between the persons receiving the tie vote to determine which candidate is elected for the two-year term.

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 May 14, 2020, and the amendment of the Charter of the Town of Centreville hereby enacted shall become effective upon July 3, 2020 (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.

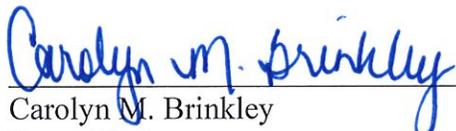
Section 3. AND BE IT FURTHER RESOLVED that the Town Manager shall cause a full and exact copy of the Resolution to be continuously posted on the bulletin board of the Town Hall until June 23, 2020 (the fortieth day after passage) and that the Town Manager shall further cause a fair summary of the charter 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 May 21, 2020, May 28, 2020, June 4, 2020 and June 11, 2020 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.

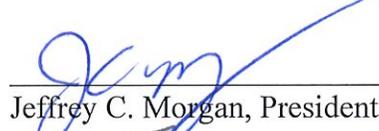
Section 5. AND BE IT FURTHER RESOLVED THAT as soon as the Charter Amendment hereby enacted becomes effective (whether as herein provided or by referendum), the Town Manager shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this 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



Jeffrey C. Morgan, President



Timothy E. McCluskey, Vice President

ABSENT
Joshua E. Shonts, Member