

1 **MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE**

2 **CHARTER AMENDMENT RESOLUTION NO. 2023-01**

3 **A RESOLUTION OF THE MAYOR AND COMMISSIONERS OF THE TOWN OF**
4 **PERRYVILLE, MARYLAND, TO AMEND THE CHARTER OF THE TOWN OF**
5 **PERRYVILLE TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES CERTAIN**
6 **CANDIDATES FOR MAYOR OR COMMISSIONER SHALL BE DECLARED ELECTED**
7 **WITHOUT THE CONDUCT OF AN ELECTION FOR THAT OFFICE; AND GENERALLY**
8 **RELATING TO CHANGES IN REQUIREMENTS AND PROCEDURES FOR ELECTIONS**
9 **TO THE OFFICE OF MAYOR AND COMMISSIONERS.**

10 **BY** repealing and reenacting, with amendments
11 Charter of the Town of Perryville
12 (as published in the Perryville Town Code)
13 Article III, Town Commissioners
14 Sections C3-1

15
16 **BY** adding
17 Charter of the Town of Perryville
18 (as published in the Perryville Town Code)
19 Article V, Registration, Nominations and Elections
20 Sections C5-10
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EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or
deleted from the law by amendment.
*** indicates matter not affected by this Ordinance and omitted

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24 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN**
25 **OF PERRYVILLE** that Section C3-1 of Article III, Town Commissioners, of the Charter of the Town
26 of Perryville (as published in the Perryville Town Code), are repealed and reenacted, with
27 amendments, to read as follows:

28 **ARTICLE III**

29 **Town Commissioners**

30 **§ C3-1. Composition; terms; elections.**

31 * * *

32 B. EXCEPT AS PROVIDED IN SUBSECTION C. OF THIS SECTION, Town Commissioners and the
33 Mayor shall be elected at large by a majority vote of all registered voters of the Town of Perryville
34 casting a ballot in said election.

35 C. A QUALIFIED CANDIDATE SHALL BE DEEMED ELECTED WITHOUT THE NECESSITY
36 OF THE CONDUCT OF AN ELECTION UNDER ARTICLE V OF THIS CHARTER WHEN:

37 (1) IN THE CASE OF THE OFFICE OF MAYOR, ONLY ONE QUALIFIED CANDIDATE
38 FILES A CERTIFICATE OF NOMINATION UNDER § C5-8, AND THAT CANDIDATE IS THE
39 ELECTED INCUMBENT MAYOR; AND

40 (2) IN THE CASE OF THE OFFICE OF COMMISSIONER THE NUMBER OF QUALIFIED
41 CANDIDATES WHO FILE CERTIFICATES OF NOMINATION UNDER § C5-8 EQUALS OR IS
42 LESS THAN THE NUMBER OF COMMISSIONERS TO BE ELECTED TO OFFICE AT THE
43 ELECTION, AND ALL CANDIDATES ARE ELECTED INCUMBENT COMMISSIONERS.

44 **SECTION 2: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS**
45 **OF THE TOWN OF PERRYVILLE**, that new Section C5-10 be and it hereby added to the Charter
46 of the Town of Perryville (as published in the Perryville Town Code), Article V, Registration,
47 Nominations and Elections, to follow immediately after Section 5-9 of said Article, to read as follows:

48 **ARTICLE V**

49 **Registration, Nominations and Elections**

50 **§ C5-10. ELECTION NOT TO BE CONDUCTED.**

51 A. THE BOARD OF SUPERVISORS OF ELECTIONS SHALL NOT CONDUCT AN ELECTION
52 UNDER THIS ARTICLE FOR MAYOR OR COMMISSIONERS UNDER THE CIRCUMSTANCES
53 DESCRIBED IN § 3-1.C. OF THIS CHARTER.

54 B. WHEN THERE ARE AN INSUFFICIENT NUMBER OF QUALIFIED CANDIDATES FOR
55 THE OFFICE OF MAYOR OR COMMISSIONER TO NECESSITATE THE CONDUCT OF AN
56 ELECTION FOR THAT OFFICE, ON THE DAY OF THE TOWN ELECTION THE BOARD OF
57 SUPERVISORS OF ELECTION SHALL DECLARE AND CERTIFY THE QUALIFIED
58 CANDIDATE OR CANDIDATES TO BE ELECTED TO THE OFFICE OR OFFICES FOR WHICH
59 THEY FILED CERTIFICATES OF NOMINATION.

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61 **SECTION 3: AND BE IT FURTHER RESOLVED BY THE MAYOR AND**
62 **COMMISSIONERS OF THE TOWN OF PERRYVILLE** that the date of adoption of this
63 Resolution is _____, 2023, and the amendment to the Charter of the Town of
64 Perryville, hereby enacted shall become effective on _____, 2023, unless a proper
65 petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy
66 of this Resolution shall be continuously posted on the bulletin board in the Town Hall until
67 _____, 2023, and provided further that a copy of the title of this Resolution shall
68 be published in a newspaper of general circulation in the Town of Perryville, or in any other newspaper
69 of such general circulation, once in each of the weeks beginning _____, 2023,
70 _____, 2023, _____, 2023, and _____, 2023.

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SECTION 4: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE, that the Town Administrator is hereby specifically commanded to carry out the provisions of Section 3 of this Resolution, and, as evidence of such compliance, the Town Administrator shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, the Mayor shall declare the Charter Amendment hereby enacted to be effective on the date provided by law.

SECTION 5: AND BE IT FURTHER RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Town Administrator shall send to the Department of Legislative Services of Maryland a copy of this Resolution showing the number of members of the Council voting for and against it and a report on the votes cast for or against the Charter Amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Amendment to the Charter of the Town of Perryville was enacted by the foregoing Resolution which was passed at a _____ meeting of the Mayor and Commissioners of the Town of Perryville on _____, 2023, _____ members voting in the affirmative, _____ members voting in the negative, _____ members abstaining and _____ members absent and the Resolution becomes effective in accordance with law on the _____ day of _____, 2023, if a petition for referendum has not been filed in the time prescribed by law.

READ AND PASSED THIS ____ day of _____, 2023.

ATTEST:

MAYOR
TOWN OF PERRYVILLE:

Jackie Sample, Town Clerk

Matt Roath, Mayor

