

## RESOLUTION NO. 2312

### A RESOLUTION OF THE COMMISSIONERS OF OXFORD FOR THE PURPOSES OF AMENDING THE OXFORD TOWN CHARTER TO CLARIFY PROVISIONS RELATED TO FILLING A COMMISSION VACANCY BY SPECIAL ELECTION

WHEREAS, Md. Code Ann. Local Gov't Article § 4-301, *et seq.* confers upon the Commissioners of Oxford the authority to initiate proposed amendments to the Charter for the Town of Oxford; and

WHEREAS, the Commissioners of Oxford have broad home rule authority to conduct elections in the Town of Oxford as they see fit; and

WHEREAS, on April 11, 2023, the Commissioners of Oxford received a Petition to amend Section C5-15 of the Oxford Town Charter (the "Charter") to provide for a special election to fill a vacancy on the Commission, rather than filling the vacancy by a majority vote of the remaining Commission (the "Petition"); and

WHEREAS, the Petition was signed by more than 20% of the qualified voters of the Town of Oxford; and

WHEREAS, pursuant to Local Gov't Article § 4-305, on July 18, 2023, the Town of Oxford held a special referendum election to submit the charter amendment as provided in the Petition to the qualified voters of Oxford; and

WHEREAS, a majority of the qualified voters of Oxford that voted in the special referendum election voted in favor of the Charter amendment as proposed in the Petition; and

WHEREAS, the Charter amendment provided in the Petition became effective on August 17, 2023; and

WHEREAS, the Commissioners of Oxford determined that amendments to Section C5-15 titled, vacancies, are necessary to remove any ambiguities that may exist regarding the term of the vacancy and conduct of the election; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section C5-15 of the Charter for the Town of Oxford.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1. Section C5-15 of the Charter for the Town of Oxford is hereby amended as follows:

#### ARTICLE V

## Registration, Nomination and Elections

. . . .

### C5-15. Vacancies.

Any vacancy on the Commission, for any reason, shall be filled by the favorable votes of the registered voters of the Town of Oxford *at a special election*. The date of the election shall be set by the Commission at the next regularly scheduled Commission meeting and shall be held within 45 days. *The Commissioner elected to fill a vacancy shall serve the balance of the term being filled.*

The *special election* [voting] shall be conducted in the manner as prescribed by *Article V* [~~Section C5-10, 12, 13, 14 under “Registration, Nominations and Elections” for Town elections~~].

Section 2. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3. The Commissioners shall hold a public hearing on this Resolution on \_\_\_\_\_, 2023 at 6:00 p.m.

Section 4. This Resolution shall become effective 50 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed “finally enacted” on the date on which the Commissioners of Oxford indicate their approval of this Resolution by affixing their signatures hereto.

Section 5. As soon as this Resolution becomes effective, the Town Clerk 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 the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

COMMISSIONERS OF OXFORD:

\_\_\_\_\_  
Tom Costigan, President

\_\_\_\_\_  
Susan Delean-Botkin, Commissioner

\_\_\_\_\_  
Katrina Greer, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the  
Commissioners of Oxford on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest: \_\_\_\_\_  
Cheryl Lewis, Town Manager  
Town of Oxford

Language ~~stricken~~ and in [ ] indicates language deleted from the Charter for the Town of Oxford.

Language in ***bold and italics*** indicates language added to the Charter for the Town of Oxford.