

## RESOLUTION NO. 2310

### **A RESOLUTION OF THE COMMISSIONERS OF OXFORD FOR THE PURPOSES OF AMENDING THE OXFORD TOWN CHARTER TO CLEARLY ESTABLISH THE DEADLINE FOR FILING A CERTIFICATE OF NOMINATION AND FOR PROVIDING NOTICE OF ELECTIONS**

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 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 certain deadlines that exist within the Charter related to elections do not provide sufficient time for a special election to fill a vacancy on the Commission; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Sections C5-5 and C5-9 of the Charter for the Town of Oxford to provide a specific number of days to file a certificate of nomination and provide notice of certain election deadlines, which will apply to an annual election and a special election.

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

Section 1. Section C5-5 of the Charter for the Town of Oxford is hereby amended as follows:

**ARTICLE V**  
**Registration, Nomination and Elections**

. . . .

Section C5-5. Notice of Elections.

The Board of Supervisors of Elections shall give at least ~~[two weeks]~~ **fourteen days** notice of ~~[every]~~ **the last** registration day, **the last day to file a certificate of nomination**, and every election day. **Notice shall be given** by an advertisement published in at least one newspaper of general circulation in the Town and by posting a notice thereof **on the Town website, Town owned social media accounts, and at the Town Office.** ~~[in some public place or places in the Town. The election day shall be the third (3rd) Tuesday of each June] unless the election is postponed in the event of a state of emergency of the State of Maryland or a catastrophic health emergency, in accordance with Section C5-9.~~

In the event of a state of emergency of the state of Maryland or a catastrophic health emergency, the Commissioners of Oxford may, by Resolution, postpone the date of the election in order to provide for the public health and safety of the Town, its voters, officials, employees, and volunteers. **In the event of a special election to fill a vacancy, notice is presumed to be adequate if posted within one (1) business day on the Town website, Town owned social media accounts, and at the Town Office.**

Section 2. Section C5-9 of the Charter for the Town of Oxford is hereby amended as follows:

**ARTICLE V**  
**Registration, Nomination and Elections**

. . . .

Section C5-9. Nominations and Election of Commissioners.

Persons may be nominated for elective office in the Town by filing a certificate of nomination at the office of the Board of Supervisors of Elections on or before **thirty days prior to the** ~~[the Third Monday in May]~~ next ~~[preceeding the]~~ Town election; or in the event that an election is postponed due to a state of emergency or a catastrophic health emergency, persons may be nominated for elective office in the Town by filing a certificate of nomination at the office of the Board of Supervisors of Elections on or before **thirty (30) days prior to the postponed election.**

No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. Any person desiring to withdraw ~~[his]~~ **their** candidacy must do so seven (7) days prior to the

election. On the third Tuesday in June in every year, or on the date of an election that has been postponed due to a state of emergency or a catastrophic health emergency, the qualified voters of the town of Oxford shall elect one person as a Commissioner for a term of three (3) years. [~~In the instance where there is an unexpired term of office of a Commissioner who has vacated that position, the Commissioner so appointed will serve only the balance of his first year of such appointment until replaced or elected in accordance with C5-15 (Vacancies).]~~

Section 3. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 4. The Commissioners shall hold a public hearing on this Resolution on \_\_\_\_\_, 2023 at 6:00 p.m.

Section 5. 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 6. 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.