

COUNCIL OF THE TOWN OF LA PLATA
Resolution No. 08-15

Introduced By: Mayor Roy Hale

Date Introduced: October 28, 2008

Amendments adopted:

Date Adopted: November 25, 3008

Date Effective: January 14, 2009
[If no petition for referendum received by January 4, 2009]

1 **A RESOLUTION** concerning

2
3 **Charter Amendment - Elections**

4
5 **FOR** the purpose of amending the Charter of the Town of La Plata to clarify that nominees for
6 election to the Town Council from each Councilmanic ward shall be elected by qualified
7 voters of the entire Town beginning with the Primary election held in 2009; and all matters
8 generally relating thereto.

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10 * * * * *

11
12 **BY** repealing and reenacting, with amendments
13 Article VII Registration, Nominations and Elections
14 Section C-7-9
15 Charter of the Town of La Plata

16
17 **SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF**
18 **LA PLATA** that Section C7-9 of Article VII, Registration, Nominations, and Elections of the
19 Charter of the Town of La Plata be and it is hereby repealed and reenacted, with amendments, to read
20 as follows:

21
22 **Article VII Registration, Nominations and Elections**

23
24 **§ C7-9. Primary election; time of holding; conduct.**

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26 Primary elections shall be held in the town on the third Monday in March in every other odd-
27 numbered year in order to select candidates for the general election on the first Tuesday in May.
28 **COMMENCING ON THE THIRD MONDAY IN MARCH IN 2009, AND IN EVERY OTHER**

29 ODD-NUMBERED YEAR THEREAFTER, NOMINEES FOR ELECTION TO THE POSITIONS
30 OF COUNCILMAN SHALL BE ELECTED BY THE QUALIFIED VOTERS OF THE ENTIRE
31

32 TOWN. The primary election shall be conducted generally as specified in this Charter for the conduct
33 of special and general elections. Candidates' names shall appear in alphabetical order for the office
34 sought on the ballots or voting machine labels, with no party designation of any kind. If not more than
35 two (2) persons from each councilmanic ward have filed as candidates for the office of Councilman or
36 if not more than two (2) persons have filed for the office of Mayor, no primary election shall be held
37 as to that office or those offices. In such instances, those nominated for Mayor or the nominees for
38 Councilmen shall be considered as nominees, and their names shall be placed on the ballot or voting
39 machines at the general election on the first Tuesday in May. Of the candidates participating in the
40 primary election, the two (2) persons receiving the highest number of votes cast for the office of
41 Mayor shall be named and considered as nominees at the general municipal election following and the
42 two (2) persons from each ward receiving the highest number of votes cast for the office of
43 Councilman shall be named and considered as nominees at the general municipal election following.
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45 **SECTION 2. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE**
46 **TOWN OF LA PLATA** that the date of adoption of this Resolution is November 25, 2008, and the
47 amendment of the Charter of the Town of La Plata hereby enacted shall become effective on January
48 24, 2009, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a
49 complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the
50 La Plata Town Hall until January 4, 2009, and provided further that a copy of the title of this
51 Resolution shall be published in the Maryland Independent, a newspaper of general circulation in the
52 Town of La Plata, or in any other newspaper of such general circulation, once in each of the weeks
53 beginning December 3, December 10, December 17 and December 24, 2008.
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55 **SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE**
56 **TOWN OF LA PLATA** that the Town Clerk is hereby specifically commanded to carry out the
57 provisions of Section 2. hereof, and, as evidence of such compliance, the Town Clerk shall cause to
58 be maintained appropriate certificates of publication of the newspaper or newspapers in which the title
59 of the Resolution shall have been published. If a favorable referendum is held on the Charter change
60 the Mayor shall proclaim the Charter change hereby enacted to have been approved by the voters and
61 the charter amendment shall become effective on the date provided by law.
62

63 **SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE**
64 **TOWN OF LA PLATA** that as soon as the Charter Amendment hereby enacted shall become
65 effective, either as provided herein or following a referendum, the Town Chief Executive Officer shall
66 send by mail to the Department of Legislative Services of Maryland, a clear certified copy of this
67 Resolution showing the number of Councilmen voting for and against it and a report on the votes cast
68 for or against the amendment hereby enacted at any referendum thereon and the date of such
69 referendum.
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71
 72 The above Charter Amendment was enacted by the foregoing Resolution which was passed at
 73 a regular meeting of the Council of the Town of La Plata on November 25, 2008, -5- members of
 74 the Town Council voting in the affirmative, -0- members of the Town Council voting in the
 75 negative, -0- members of the Town Council abstaining, and -0- members of the Town Council
 76 absent, and the said Resolution becomes effective in accordance with law on the 14th day of January,
 77 2009.

78
 79 **ADOPTED** this 25th day of November, 2008.

80
 81 **SEAL:** **COUNCIL OF THE TOWN OF LA PLATA**

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 85 _____
 86 **Roy G. Hale, Mayor**

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 89 _____
 90 **James Goldsmith, Councilman**

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 92
 93 _____
 94 **Scot D. Lucas, Councilman**

95
 96 **ATTEST:** _____
 97 **Paretta D. Mudd, Councilwoman**

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 99
 100 _____
 101 **Judith T. Frazier, Town Clerk** **Vic E. Newman, Councilman**

102 **Date** _____
 103

<p style="text-align: center;">EXPLANATION:</p> <p>CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. ((Double Parenthesis)) indicate matter deleted from existing law. <u>Underlining</u> indicates amendments to bill. Strike Out indicates matter stricken from bill by amendment or deleted from the law by amendment.</p>
