

## **The Town of Upper Marlboro**

RESOLUTION: 2023-06

SESSION: Special Town Meeting

DATED: April 11, 2023

### **A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO DECLARING A VACANCY IN OFFICE, CALLING A SPECIAL ELECTION TO BE HELD ON TUESDAY, MAY 9, 2023 | POLL HOURS 8:00 AM UNTIL 7:00 PM**

**WHEREAS**, according to Section 82-32 of the Charter, in case of a vacancy on the Board of Commissioners for any reason, the Board of Supervisors of Elections shall, pursuant to the provisions of Section 82-29, conduct a special election to elect some qualified person to fill such vacancy for the unexpired term, provided, however, any vacancy which occurs within 61 days of the next general election as provided for in Section 82-27 [held the first Tuesday in November in odd numbered years] shall remain vacant until said general election; and

**WHEREAS**, according to Section 82-29 of the Charter, all special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections, and in the event a special election is required pursuant to Section 82-32, the said special election shall be held not less than thirty (30) days and not more than forty-five (45) days after the vacancy is created, and the newly elected Commissioner shall take office on the second Monday of the month [June 12, 2023] following the special election; and

**WHEREAS**, pursuant to Section 4-108 of the LG Art. of Md. Ann. Code, a qualified voter may vote in a municipal election by absentee ballot, and municipality shall provide a procedure to vote by absentee ballot, but the municipality may not require an individual to provide a reason that the individual will be unable to vote in person on election day in order to vote by absentee ballot, and a municipality may use any method to enable absentee voters to vote, including using any facilities to transmit and receive applications for absentee ballots; and

**WHEREAS**, Ordinance 2023-02 enacted on March 28, 2023, provides for the conduct of voter registration, maintenance of registration records, conduct of elections, certification of election results and absentee ballots; and

**WHEREAS**, according to Section 82-23 of the Charter, the Board of Supervisors of Elections shall give at least two weeks' notice of every registration day and every election by an advertisement published in a newspaper of general circulation in the Town.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro, sitting in special session this 11th day of April, 2023, that the Town Board of Commissioners hereby declares a vacancy on the Board [effective Friday, March 31, 2023 at noon], and with the acknowledgement and concurrence of the President, hereby orders a Special Election to be held on Tuesday, May 9, 2023.

**AND BE IT FURTHER RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro that written statements of candidacy and nominating petitions shall be filed with one of the Supervisors of Elections on or before (May 1, 2023).

ATTEST:

BOARD OF COMMISSIONERS OF THE

TOWN OF UPPER MARLBORO, MD

\_\_\_\_\_  
John Hoatson, Clerk

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Sarah Franklin, President

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Charles Colbert, Commissioner

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Thomas Hanchett, Commissioner

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Karen Lott, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corp., this 11th day of April, 2023.

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John Hoatson, Clerk