

**CITY OF SALISBURY
CHARTER AMENDMENT NO. 2015-3**

A RESOLUTION TO AMEND ARTICLE IV BY ELIMINATING SECTION SC 6-7 PRIMARY ELECTIONS AND BY AMENDING SECTIONS SC 6-11 CHALLENGERS AND WATCHERS AND SC 6-15 TIE ELECTIONS , OF THE CHARTER OF THE CITY OF SALISBURY, MARYLAND TO ELIMINATE THE PRIMARY ELECTIONS FOR CITY OF SALISBURY ELECTED OFFICIALS.

WHEREAS, the Charter of the City of Salisbury may be amended as outlined in § SC21-1 and § SC21-2 and in § 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, the City of Salisbury has decided it is in the best interest of the City to eliminate primary elections for elected City positions; and

WHEREAS, the Charter of the City of Salisbury refers to the primary elections in Article VI, Elections; and

WHEREAS, the City desires to amend the Charter to reflect the elimination of primary elections.

NOW, THEREFORE, be it resolved by the City Council of the City of Salisbury, that Article VI of the Charter be amended as follows:

ARTICLE VI Elections

§ SC6-1. Voters.

§ SC6-2. City of Salisbury Election Board.

§ SC6-3. Duties of board.

§ SC6-4. Registration of voters.

§ SC6-5. Conduct of elections.

§ SC6-6. Nomination.

§ SC6-7. [~~Primary elections.~~][Revoked]

§ SC6-8. Filing fee.

§ SC6-9. Election of Mayor and Council.

§ SC6-10. Notice of elections.

§ SC6-11. Challengers and watchers.

§ SC6-12. Vacancies.

§ SC6-13. Recall of elected officials.

§ SC6-14. Nonpartisan elections.

§ SC6-15. Tie elections.

~~§ SC6-7. [Primary Elections.] [Revoked]~~

~~——— [Any required primary election shall be held on the fifth Tuesday prior to the date for the general election. The City Clerk shall give at least two (2) weeks notice by publication in some newspaper of general circulation in the City of Salisbury of the time and place or places of holding the primary election.]~~

~~——— In years in which the Mayor and five (5) Councilmembers are to be elected, a primary election shall be held for the office of Mayor when more than two (2) persons file certificates of nomination. If certificates of nomination are filed by a number of persons greater than two (2) times the number of available Councilmember positions in a district, a primary election shall be held. A voter may vote for no more than one (1) candidate per available position from the candidates on the primary election ballot. Of the candidates participating in such a primary election, a number of candidates equal to two (2) times the available positions in a district who receive the most votes in that district shall be named and considered as candidates for the available positions in the following general election. If not more than two (2) persons file certificates of nomination for each available position in a district, no primary shall be held and those persons who do file certificates of nomination shall be named and considered for the available positions at the next general election.~~

~~——— In the year in which the Mayor and one (1) Councilmen from each District are to be elected, a primary election shall be held for any available office for which more than two (2) persons file certificates of nomination. A voter may vote for no more than one (1) candidate per available position from the candidates on the primary election ballot. Of the candidates participating in such a primary, the two (2) candidates who receive the most votes shall be named and considered as the candidates for that office in the following general election.]~~

§ SC6-11. Challengers and watchers.

Challengers and watchers representing the candidates in any primary or

city election shall be allowed to be present at the several voting places during the voting and counting of the ballots as provided by law with respect to general elections.

§ SC6-15. Tie elections.

A. ~~Primary Election.~~

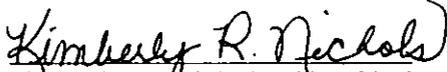
~~1. In an election year in which the Mayor and/or council members are to be elected, if the candidates for the second position on the ballot for any office have an equal number of votes, then all such candidates shall be listed on the General Election ballot.~~

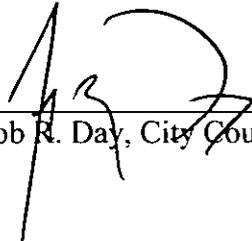
[B.] General Election.

AND BE IT FURTHER RESOLVED by the City Council of the City of Salisbury that this Resolution take effect fifty (50) days from and after the date of its final passage, subject to the right of referendum, and that its provisions shall be implemented on the 12 day of May, 2015. The Mayor shall therefore proceed with the posting and publication of this Resolution pursuant to the requirements of Local Government Article § 4-304 of the Annotated Code of Maryland.

This Resolution was introduced, read, and passed at a meeting of the Salisbury City Council held on the 23 day of March, 2015.

ATTEST:


Kimberly R. Nichols, City Clerk


Jacob R. Day, City Council President

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April 24, 2015

City of Salisbury



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TO: City Council Members
FROM: Kim Nichols, City Clerk
DATE: March 18, 2015
SUBJECT: Charter Amendment to Eliminate Primary Elections

At its December 15, 2014 Work Session Council discussed eliminating the primary elections in the City of Salisbury Council and Mayoral elections. After discussing and reviewing the attached Charter Amendment Resolution during the March 2, 2015 Work Session, Council reached unanimous consensus to advance the document to Legislative Session.

Following a Public Hearing and approval of the Charter Amendment this evening, the resolution will become effective on May 12, 2015.