

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION DAY 2024-10**

**RESOLUTION NO. 22-2024**

**Title of Resolution:** Charter Amendment – Vacancies – County Council

**Synopsis:** A Resolution amending Article 2, County Council, Section 209, Vacancies, of the Cecil County Charter to provide that the vacancies in County Council shall be filled based on the vacating members party at the time of filing. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection, in accordance with Section 602 of the Charter of Cecil County.

**Introduced by:** Council President at the request of the County Council

**Introduced and ordered posted on:** June 4, 2024

**Public hearing scheduled on:** July 2, 2024 at 7:00 p.m.

**Scheduled for consideration on:** July 16, 2024

By: \_\_\_\_\_  
Council Manager

Notice and title of Resolution having been posted on June 4, 2024 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on June X 2024 and June X, 2024, a public hearing was held on July 2, 2024, and concluded on July 2, 2024.

By: \_\_\_\_\_  
Council Manager

**Explanation:** CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT  
~~Strike through~~ indicates language deleted from existing document  
Underlining indicates language added to document by amendment.  
~~Double Strike through~~ indicates language stricken from document by amendment

1           **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter  
2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3           **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to  
4 any charter adopted by any County of this State under the provisions of this Article may be  
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than  
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000  
7 signatures shall be sufficient to complete a petition; and

8           **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election  
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare  
10 and certify, and submit to the State Board of Election, not later than August 1, 2024, the  
11 following information as required under §7-103(b) of the Election Law Article for each question  
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a  
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface  
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that  
15 the voter has; and

16           **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and  
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the  
18 President of the County Council once a week for five successive weeks prior to the election in at  
19 least one newspaper published in said County; and

20           **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and  
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to  
22 the voters of the County at the next general or congressional election occurring after the  
23 passage of the resolution; and

24           **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and  
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for  
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part  
27 of the charter of the County from and after the thirtieth day after said election; and

28           **WHEREAS**, Article 2, County Council, Section 209, Vacancies, of the Cecil County  
29 Charter currently provides that:

30 “(a) A vacancy occurs when a Council member, prior to the expiration of the term for which  
31 elected, dies, resigns from office, or becomes disqualified to hold office pursuant to Section  
32 208 of this Charter.

33 (b) When a vacancy occurs, the remaining Council members, within 30 days after receiving  
34 a list of three persons from the County Central Committee of the political party affiliated  
35 with the person vacating office, shall appoint a person to serve the unexpired term of office.  
36 The appointee shall be selected by a majority vote of the remaining Council members. The  
37 appointee shall meet the same qualifications and residence requirements and, when  
38 succeeding a party member, shall be a member of the same political party as the person  
39 who vacated office.

40 (c) When succeeding a party member, the appointee shall be selected from a list of three  
41 persons submitted to the Council by the County central committee of the political party  
42 affiliated with the person vacating office, provided the list is submitted within 30 days from  
43 the date a vacancy occurs. If no such list is submitted within 30 days, or if the Council  
44 member vacating office is not a member of a political party, the Council shall appoint the  
45 person it deems best qualified to hold office regardless of his or her party affiliation, if any,  
46 provided the appointee meets the qualifications and residency requirements provided in  
47 Subsection (b) of this section.

48 (d) If the Council fails to fill a vacancy pursuant to the provisions of this section, the Executive  
49 shall appoint a person to fill the vacancy, provided the appointee is nominated in accordance  
50 with the provisions of this section and meets its qualification and residency requirements”;  
51 and

52 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and  
53 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following  
54 amendment to Article 2, County Council, Section 209, Vacancies, of the Cecil County Charter:

55 “(a) A vacancy occurs when a Council member, prior to the expiration of the term for which  
56 elected, dies, resigns from office, or becomes disqualified to hold office pursuant to Section  
57 208 of this Charter.

58 (b) When a vacancy occurs, the remaining Council members, within 30 days after receiving

59 a list of three persons from the County Central Committee of the political party affiliated  
60 with the person vacating office, shall appoint a person to serve the unexpired term of office.  
61 The appointee shall be selected by a majority vote of the remaining Council members. The  
62 appointee shall meet the same qualifications and residence requirements and, when  
63 succeeding a party member, shall be a member of the same political party as the person  
64 who vacated office **AT THE TIME OF THE VACATING MEMBER’S ELECTION TO OFFICE.**

65 (c) When succeeding a party member, the appointee shall be selected from a list of three  
66 persons submitted to the Council by the County central committee of the political party  
67 affiliated with the person vacating office, provided the list is submitted within 30 days from  
68 the date a vacancy occurs. If no such list is submitted within 30 days, or if the Council  
69 member vacating office is not a member of a political party, the Council shall appoint the  
70 person it deems best qualified to hold office regardless of his or her party affiliation, if any,  
71 provided the appointee meets the qualifications and residency requirements provided in  
72 Subsection (b) of this section.

73 (d) If the Council fails to fill a vacancy pursuant to the provisions of this section, the  
74 Executive shall appoint a person to fill the vacancy, provided the appointee is nominated in  
75 accordance with the provisions of this section and meets its qualification and residency  
76 requirements”.

77 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**  
78 **COUNTY, MARYLAND,** that the following amendment to Article 2, County Council, Section 209,  
79 Vacancies, of the Cecil County Charter, shall be submitted to the voters of the County at the  
80 next general or congressional election in accordance with Article 6, Section 602 of the Cecil  
81 County Charter and Article XI-A, §5 of the Maryland Constitution:

82 “(a) A vacancy occurs when a Council member, prior to the expiration of the term for which  
83 elected, dies, resigns from office, or becomes disqualified to hold office pursuant to Section  
84 208 of this Charter.

85 (b) When a vacancy occurs, the remaining Council members, within 30 days after receiving  
86 a list of three persons from the County Central Committee of the political party affiliated  
87 with the person vacating office, shall appoint a person to serve the unexpired term of office.

88 The appointee shall be selected by a majority vote of the remaining Council members. The  
89 appointee shall meet the same qualifications and residence requirements and, when  
90 succeeding a party member, shall be a member of the same political party as the person  
91 who vacated office **AT THE TIME OF THE VACATING MEMBER’S ELECTION TO OFFICE.**

92 (c) When succeeding a party member, the appointee shall be selected from a list of three  
93 persons submitted to the Council by the County central committee of the political party  
94 affiliated with the person vacating office, provided the list is submitted within 30 days from  
95 the date a vacancy occurs. If no such list is submitted within 30 days, or if the Council  
96 member vacating office is not a member of a political party, the Council shall appoint the  
97 person it deems best qualified to hold office regardless of his or her party affiliation, if any,  
98 provided the appointee meets the qualifications and residency requirements provided in  
99 Subsection (b) of this section.

100 (d) If the Council fails to fill a vacancy pursuant to the provisions of this section, the  
101 Executive shall appoint a person to fill the vacancy, provided the appointee is nominated in  
102 accordance with the provisions of this section and meets its qualification and residency  
103 requirements.”

104 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL**  
105 **COUNTY, MARYLAND,** that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i)  
106 of the Election Law Article, the Attorney, designated to represent the county legislative  
107 body, shall prepare, certify, and submit to the State Board of Election, not later than  
108 August 1, 2024, the following information as required under §7-103(b) of the Election Law  
109 Article: (1) a question number or letter as by the Election Board; (2) a brief designation of  
110 the type or source of the question; (3) a brief descriptive title in boldface type; (4) a  
111 condensed statement of the purpose of the question; and (5) the voting choices that the  
112 voter has.

113 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
114 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,  
115 §5 of the Maryland Constitution, the amendments shall be published by the President of the

116 County Council once a week for five successive weeks prior to the election in at least one  
117 newspaper published in said County.

118 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
119 **MARYLAND**, that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,  
120 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted  
121 to the voters of the County at the next general or congressional election occurring after the  
122 passage of this Resolution.

123 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
124 **MARYLAND**, that in accordance with Article 6, Section 602 of the Cecil County Charter and  
125 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for  
126 the aforementioned proposed amendment shall be in favor thereof, then the proposed  
127 amendment shall be adopted and become a part of the Charter of Cecil County from and after  
128 the thirtieth day after said election.

**INTRODUCED: June 4, 2024**

**ADOPTED: \_\_\_\_\_**

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
Council Manager