



TOWN RESOLUTION



RESOLUTION NAME: **REQUEST FOR SPECIAL ELECTION TO CHANGE
CHARTER: TERM OF COUNCIL SEAT VACANCY APPOINTEES**

RESOLUTION #: RES-2018-005

ORIGINAL ADOPTION DATE: 09-05-18

ORIGINAL EFFECTIVE DATE: 09-05-18

**Resolution and request for special election pursuant to
North Carolina General Statutes §§ 160A-104 and 163A-1592**

The following is a resolution calling for a special election to vote on an ordinance that would amend the charter of the Town of Summerfield to change the term of council seat vacancy appointments to conform with NCGS § 160A-63.

WHEREAS, an initiative petition to amend the Charter of the Town of Summerfield ("town charter" or "charter" hereafter), pursuant to North Carolina General Statute § 106A-104, was certified by the Guilford County Board of Elections and received by the Town Clerk on August 23, 2018; and Council accepts same and calls for a special election, pursuant to NCGS §§ 160A-104 and 163A-1592; and,

WHEREAS, the town charter adopted in 1996 following a vote of the people provides: "*Sec. 3.4. Vacancies. Notwithstanding GS 160A-63, persons appointed by the Town Council to fill vacancies on the Council serve the remainder of the unexpired term*"; and,

WHEREAS, the Summerfield Town Council, in accordance with North Carolina law, wishes to put this issue to the voters of the Town of Summerfield for adoption or rejection of this ordinance in a special election.

NOW, THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Summerfield, Guilford County, North Carolina, that the town charter's "*Sec. 3.4. Vacancies*" provision be amended to mirror NCGS § 160A-63, in accordance with NCGS §§ 160A-101(4) and 160A-106, and shall be put to a vote of the people. The form of the ballot shall be as set forth in NCGS § 160A-105; and,

BE IT THEREFORE FURTHER RESOLVED that upon a vote of the people to amend the charter's "*Sec. 3.4. Vacancies*" provision to mirror NCGS § 160A-63, Town Council shall pass an ordinance amending same; and,

BE IT THEREFORE FURTHER RESOLVED that the Guilford County Board of Elections shall conduct this special election at the same time as the regularly-scheduled elections held on the first Tuesday following the first Monday in November of the year 2018.



TOWN RESOLUTION



The proposition to amend the charter for the Town of Summerfield shall be printed on the ballot in substantially the following form:

“Shall the ordinance to amend the “Sec. 3.4. Vacancies” provision of Summerfield’s town charter mirror NCGS § 160A-63, which specifies that a resident appointed to fill a Council seat vacancy will serve until the next regularly-scheduled town election instead of serving the remainder of the unexpired term, be approved?”

- () YES
- () NO

This the ____ day of September, 2018.

Gail Dunham, Mayor

Lance G. Heater, Town Clerk

(Town Seal)

** 9/5/18 DRAFT **