

**CITY OF MANOR
SPECIAL ELECTION
CHARTER AMENDMENT**

NOVEMBER 3, 2020

The proposed amendments shall take effect upon their adoption and the entering of an order by the City Council declaring the amendments adopted. The proposed amendments affect only the Articles and sections listed below and submitted for amendment to read as follows (*with proposed new language being underlined, bolded, and italicized and language proposed to be removed is struck through*):

**PROPOSITION D
Council Vacancy Filled by Appointment**

[SECTION 3.05 IF BOTH PROPOSITION B AND D PASS]

Section 3.05. - Vacancies in Office.

- (~~a~~) The office of mayor or council member shall become vacant **as provided in Section 3.10**, or upon death, resignation, removal from office of the incumbent, or, for individuals elected to office, failure to take the oath of office by the first regular city council meeting following the canvass of the election at which the individual receives a **plurality majority** vote, or, for individuals appointed to office, by the first meeting following the individual's appointment. ~~Any vacancy or vacancies, whether in the office of mayor or council member, may be filled by special election called for such purpose or by the majority of the remaining council members appointing a qualified person to fill the vacancy. All appointees to vacancies shall serve for the remainder of the unexpired term of the office so filled.~~
- (b) **A vacancy for an unexpired term that exceeds twelve months, that occurs when two places on council have been filled by appointment, or that occurs in the office of mayor, shall be filled by special election called for such purpose. The date for a special election to fill a vacancy shall be the first uniform election date after the vacancy occurs and for which there is sufficient time to call and give notice of the election as required by law; provided that, if a vacancy occurs and no such election date falls within 120 days after the date of the vacancy, the council shall, without regard to the specified uniform election dates, order such election to be held on a Saturday within 120 days from the date of the vacancy. No special election will be required if the vacated office has a term of 120 days or less remaining as of the date of the first council meeting held after the date of the vacancy.**
- (c) **If a vacancy occurs for an unexpired term of twelve months or less for a position other than the mayor when there are less than two place on council filled by appointment, then the vacancy may be filled by either special election called for such purpose or by the majority of the remaining council members appointing a qualified person to fill the vacancy. Vacancies filled by appointment must be filled within forty-five days from the date the vacancy occurs.**
- (d) **All appointees or persons elected to vacancies as provided in this section shall serve for the remainder of the unexpired term of the office so filled.**

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NOVEMBER 3, 2020

[SECTION 3.05 IF PROPOSITION B PASSES AND PROPOSITION D FAILS]

Section 3.05. - Vacancies in Office.

- ~~(a) The office of mayor or council member shall become vacant ***as provided in Section 3.10***, or upon death, resignation, removal from office of the incumbent, or, for individuals elected to office, failure to take the oath of office by the first regular city council meeting following the canvass of the election at which the individual receives a ~~plurality~~ ***majority*** vote, or, for individuals appointed to office, by the first meeting following the individual's appointment. ~~Any vacancy or vacancies, whether in the office of mayor or council member, may be filled by special election called for such purpose or by the majority of the remaining council members appointing a qualified person to fill the vacancy. All appointees to vacancies shall serve for the remainder of the unexpired term of the office so filled.~~~~
- (b) A vacancy shall be filled by special election called for such purpose. The date for a special election to fill a vacancy shall be the first uniform election date after the vacancy occurs and for which there is sufficient time to call and give notice of the election as required by law; provided that, if a vacancy occurs and no such election date falls within 120 days after the date of the vacancy, the council shall, without regard to the specified uniform election dates, order such election to be held on a Saturday within 120 days from the date of the vacancy. No special election will be required if the vacated office has a term of 120 days or less remaining as of the date of the first council meeting held after the date of the vacancy.***
- (c) All persons elected to vacancies as provided in this section shall serve for the remainder of the unexpired term of the office so filled.***