

**RESOLUTION NO. DH 07-03 OF THE MAYOR AND COMMISSIONERS
OF THE CITY OF DISTRICT HEIGHTS, MARYLAND**

WHEREAS, the Charter for the City of District Heights sets forth the mechanism under which elections are conducted for the offices of Mayor and Commissioner for the City of District Heights;

WHEREAS, Section 512, Vote Count, of the City Charter provides that “write-in votes and absentee ballots shall be counted.”

WHEREAS, Section 512 of the City Charter is silent on the issue of whether a person needs to file a Certificate of Candidacy to be an eligible candidate in order to qualify as a write-in candidate;

WHEREAS, Md. Code Ann., Election Law Art., 5-704 provides as follows:

An individual who seeks election as a write-in candidate shall file a certificate of candidacy as required under §5-303 of this title.

WHEREAS, Md. Code Ann., Election Law Art., is not controlling law with regard to municipal elections but the Mayor and Commissioners of the City of District Heights believe it sets forth a fair procedure for handling write-in candidates;

WHEREAS, the Mayor and Commissioners of the City of District Heights desire to follow the procedure established by Md. Code Ann., Election Law Art., in order to adopt an orderly and efficient method for determining who qualifies as an eligible write-in candidate.

NOW, THEREFORE, BE IT RESOLVED BY THIS RESOLUTION BY THE MAYOR AND COMMISSIONERS OF THE CITY OF DISTRICT HEIGHTS AS FOLLOWS:

SECTION I: Write-in candidates

The Mayor and Commissioners of the City of District Heights provide notice that the City of District Heights will follow the procedures established by Sections 5-704 and 5-303 (c)(2) of Md. Code Ann., Election Law Art., in determining who qualifies as a write-in candidate.

Md. Code Ann., Election Law Art., §5-704 requires that an individual who desires to be elected as a write-in candidate file a Certificate of Candidacy.

Md. Code Ann., Election Law Art., §5-303(c)(2) provides that a Certificate of Candidacy must be filed by:

5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

If any individual fails to comply with this Resolution (No. DH 07-03) their candidacy will be null and void.

INTRODUCED, by the Mayor and Commissioners of the City of District Heights at a session held on March 29, 2007.