

Wilmington, Delaware  
December 13, 2018

**#4612**

**Sponsors:**

**Council  
President  
Shabazz**

**Council  
Members  
Walsh  
Freel**

**Co-Sponsors:**

**Council  
Members  
Dixon  
McCoy  
Williams  
Oliver  
Harlee**

**WHEREAS**, public participation in the electoral process is a vital and guiding principle of democratic governance.

**WHEREAS**, Section 2-101 of the City Charter and Section 2-34 of the Wilmington City Code set forth the process for filling a vacant City Council position between general election; and

**WHEREAS**, the City Charter requires that the City Council choose a candidate by majority vote to fill the vacant City Council position; and

**WHEREAS**, City Council deems a special election to fill the vacancy in the best interest of the citizens of the City of Wilmington, allowing voters to choose the best candidate able to represent their district; and

**WHEREAS**, a council vacancy with a remaining unexpired term exceeding 180 days from the date of the vacancy should result in a special election to elect a duly qualified successor to serve the remainder of the unexpired term; and

**WHEREAS**, the Delaware General Assembly has the authority to amend the City Charter by a two-thirds vote in order to require that a special election be held when a City Council position becomes vacant between general elections.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the City Council encourages the Delaware General Assembly to amend the Charter of the City of Wilmington to allow for a special election in the event that a position on City Council becomes vacant between the general elections.

Passed by City Council,

Attest: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution urges the Delaware General Assembly to enact legislation that calls for a special election to fill a Council Member vacancy exceeding 180 days from the date of the next general election and serve the remainder of unexpired vacated Council seat term.