

*provided in subsection (b) of this section. If said remaining members are unable to agree as to who shall assume said office, then the candidate who received the next highest number of votes for the office of Mayor in the preceding general election, provided he has retained the necessary qualifications, shall assume said office until the holding of a special election.*

*(g) In the event a special election is required, as provided in subsection (e), said election shall be held within ninety (90) days of the occurrence of the vacancy which has resulted in a Council of less than three (3) members. Provided, however, that no election need be held if the date thereof would be less than one (1) calendar year from the next regular general municipal election. In such case, those persons temporarily appointed under the provisions of subsection (e) shall serve until successors are duly elected and qualified at the next general election.*

*(h) Any special election called in accordance with the provisions of this section shall be conducted in accordance with the provisions of Section 10 of this Charter.*

**Section 3. AND BE IT FURTHER RESOLVED,** That the date of the passage of this Resolution is November 4, 1968, and the amendment of the Charter of the City of Cumberland, hereby enacted, shall become effective on December 24, 1968, unless a proper Petition for a Referendum hereon shall be filed as provided by Section 13 of Article 23A of the Annotated Code of Maryland, and provided a complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of the City Hall, Cumberland, Maryland, until December 14, 1968, and provided further that a fair summary of the proposed amendment shall be published in the Cumberland Evening Times, a newspaper of general circulation in the City of Cumberland, once in each of the weeks of November 4, 11, 18, 25, and December 2, 1968.

**Section 4. AND BE IT FURTHER RESOLVED,** That the Mayor of the City of Cumberland is hereby specifically directed to carry out the provisions of Section 3 hereof, regarding the giving of notice by posting and publication of this Resolution approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to the Charter Amendment Resolution a certificate of the publication of the newspaper in which the summary of this Resolution shall have been published, and the Mayor, if there is no Petition for a Referendum, shall declare the Charter Amendment to be effective on the effective date herein provided for, which is December 24, 1968, by affixing his signature hereto in the space provided below the effective date hereof.

**Section 5. AND BE IT FURTHER RESOLVED,** That, if a proper Petition for a Referendum on the Charter amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with all the provisions set forth in Sections 13 to 17, both inclusive, of Article 23A of the Annotated Code of Maryland.

**Section 6. AND BE IT FURTHER RESOLVED,** That as soon as the Charter amendment hereby made shall become effective, either as herein provided for or following a Referendum, the Mayor shall send separately, by Registered Mail, to the Secretary of the State of Maryland, and to the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the Referendum, if any is held, a certificate showing the number of Councilmen voting for and against it, and a report on the votes cast for or against the amendment