

RESOLUTION 12-237

STATE OF ALABAMA
MORGAN COUNTY
CITY OF DECATUR

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Decatur has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council District No. 4 prior to the deadline and that the name of that person who filed such statement was Charles Kirby,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur that Charles Kirby be and he is hereby declared duly elected to the office of City Council District No. 4 in the City of Decatur for the term of office commencing on the first Monday in November, 2012, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Decatur be and he hereby is directed to issue a certificate of election to Charles Kirby for the office of City Council District No. 4 for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED THIS THE 6th DAY OF AUGUST, 2012.