

RESOLUTION _____

A RESOLUTION OF THE HINCKLEY TOWN COUNCIL, HINCKLEY, UTAH, TO CANCEL THE NOVEMBER 5, 2019, ELECTION SINCE THE TOWN CLERK RECEIVED ZERO 2019 HINCKLEY TOWN DECLARATION OF CANDIDACY.

RECITALS

WHEREAS, Hinckley Town is an incorporated municipality and body politic duly organized under the laws of the State of Utah; and

WHEREAS, The Utah Municipal Code (Title 10, Utah Code Ann.) confers upon the Town all rights, duties, powers, and privileges, and authority which under the laws if the State of Utah are exercised or may be capable of being exercised by a political subdivision of the State by and through its governing body, to wit: “the Hinckley Town Council”; and

WHEREAS, within the Town the term of office for two (2) of its current council members of the Hinckley Town Council are set to expire on the first Monday of January therefore creating vacancies in the governing body.

WHEREAS, in compliance with the Utah Election Code (Title 20A, Utah Code Ann.) the Town has properly published notice of said impending vacancies and how interested persons may declare their candidacy including the deadline for which all declarations of candidacy, petitions for candidacy and/or write-in declarations of candidacy (“Candidacy Notice”).

WHEREAS, pursuant to the Candidacy Notice and within the timeframes prescribed by the Utah Election Code, the deadline to file a declaration of candidacy or petition for candidacy for the position of Town Council Member was June 7, 2019 (“General Candidacy Declaration Deadline”) and the deadline to file a write-in declaration of candidacy was September 3, 2019 (“Write-in Candidacy Declaration Deadline”).

WHEREAS, upon the expiration of the General Candidacy Declaration Deadline and the Write-in Candidacy Declaration Deadline, no persons declared candidacy for the two (2) Town Council Member positions.

WHEREAS, Section 1-206 of the Utah Election Code (Title 20A, Utah Code Ann) provides that a municipality may cancel its local election.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED AND CERTIFIED BY THE HINCKLEY TOWN COUNCIL, HINCKLEY, UTAH, that:

1. The Town has adopted an ordinance under Subsection 10-3-205 of the Utah Code Ann. designating the timing and sequencing of the election of members to the Hinckley Town Council,

2. No General Candidacy Declarations or Write-in Candidacy Declarations were filed with Hinckley Town for the two (2) Town Council Member positions,

3. The term of office for Council Member Holly Joseph and Council Member Ray Searle ends on Monday, January 6, 2020. Therefore, beginning on the first Monday in January the Hinckley Town Council will start the process outlined in Utah Election Code 20A-1-510 to fill the Council Member vacancies.

BE IT FURTHER RESOLVED THAT the local election currently scheduled for November 5, 2019 is hereby cancelled.

APPROVED AND ADOPTED by the Hinckley Town Council this ____ day of October, 2019.

Brian Florang, Mayor

Attest:

Tresa Martin, Hinckley Town Clerk