

TOWN OF ROCK HALL, MARYLAND

CHARTER AMENDMENT RESOLUTION No. 2022-01

A CHARTER AMENDMENT RESOLUTION OF THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §§ 4-302(1) and 4-304 of the Local Government Article of the Maryland Annotated Code to amend the Municipal Charter of the Town of Rock Hall (as published in Chapter 125, Volume 7, Compilation of Municipal Charters) for the purposes of providing that ordinances, or parts thereof, passed under the authority of the Charter pertaining to levying property taxes for the payment of indebtedness, adoption of the annual budget, authorizing the annual tax levy, or levying special assessment charges, where the proceeds of such special assessment charges have been or are to be pledged to the payment of any bonds, notes, or other indebtedness incurred or to be incurred by the Town for public improvements to be financed in whole or in part by each special assessment charge, shall become effective on the date specified in the ordinance and may become effective immediately upon passage and providing that the Town's annual budget shall be prepared and adopted in the form of an ordinance; providing that the title of this Charter Amendment Resolution shall be deemed a fair summary; and generally relating to ordinances of the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Article XI-E, § 3 of the Constitution of Maryland, the Council of the Town of Rock Hall (the "Council"), as the legislative body of the Town of Rock Hall (the "Town"), is authorized and empowered to amend the Municipal Charter of the Town of Rock Hall (the "Charter"); and

WHEREAS, pursuant to Article XI-E, § 4 of the Constitution of Maryland, an amendment to the Charter shall be proposed either by a resolution of the Council or by a petition containing the signatures of at least twenty (20) percent of the registered voters of the Town and filed with the Council; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't §§ 4-302(1) and 4-304, the Council may initiate a proposed amendment or amendments to the Charter by a resolution which, except as otherwise specified in the subtitle, is ordained or adopted as in the usual course of considering resolutions in the Town government, by a majority of the Council, and the same shall be subject to the right of referendum; and

WHEREAS, the Council is desirous of amending the Charter to provide that ordinances, or parts thereof, passed under the authority of the Charter pertaining to levying property taxes for the payment of indebtedness, adoption of the annual budget, authorizing the annual tax levy, or levying special assessment charges, where the proceeds of such special assessment charges have been or are to be pledged to the payment of any bonds, notes, or other indebtedness incurred or to be incurred by the Town for public improvements to be financed in whole or in part by each special assessment charge, shall become effective on the date specified in the ordinance and may become

effective immediately upon passage and providing that the Town's annual budget shall be prepared and adopted in the form of an ordinance; and

WHEREAS, the Council, to provide for the reasonable and appropriate representation of the citizens of the Town and to provide for the better management and governance of the Town and its affairs, deems it necessary and appropriate for the good government and citizens of the Town to amend certain provisions of the Charter as set forth herein.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that, pursuant to the authority of Article XI-E of the Constitution of Maryland and §§ 4-302(1) and 4-304 of the Local Government Article of the Maryland Annotated Code, the Municipal Charter of the Town of Rock Hall (as published in Chapter 125, Volume 7, Compilation of Municipal Charters) be, and the same is hereby, amended:

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 310 of the Charter be and it is hereby amended as follows:

Section 310 – Passage of Ordinances

No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Council held not less than six nor more than 60 days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended or rejected, or its consideration deferred to some specified future date. In case of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of four members of the Council. ((Every)) Except as otherwise set forth herein, every ordinance shall become effective at the expiration of 20 calendar days following approval by the Council. An emergency ordinance and an ordinance, or part thereof, passed under the authority of this Charter pertaining to levying property taxes for the payment of indebtedness, adoption of the annual budget, authorizing the annual tax levy, or levying special assessment charges, where the proceeds of such special assessment charges have been or are to be pledged to the payment of any bonds, notes, or other indebtedness incurred or to be incurred by the town for public improvements to be financed in whole or in part by each special assessment charge, shall become effective on the date specified in the ordinance, and may become effective immediately upon passage. No ((but no)) ordinance shall become effective until approved by the Council. A brief but fair description of each ordinance passed to include emergency ordinances shall be published at least two weeks in a newspaper or newspapers having general circulation in the town within 20 days of passage.

SECTION 2. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 706 of the Charter be and it is hereby amended as follows:

Section 706. Adoption of the Budget

Before adopting the budget, the Council shall have a public hearing thereon after two weeks' notice thereof in some newspaper or newspapers having a general circulation within the municipality. The Council may insert new items or may increase or decrease the items of the budget. If the Council increases the total proposed expenditures, it shall also increase the total anticipated

revenues in an amount at least equal to the total proposed expenditures. The budget shall be prepared and adopted in the form of ((a resolution)) an ordinance. A favorable vote of at least a majority of the total elected membership of the Council is necessary for adoption.

SECTION 3. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that, in this Resolution, unless a section of the Charter is expressly repealed in its entirety and reenacted, new or added language is underlined and deleted text is enclosed in double parentheses. Language added after the date of introduction is in italicized, boldface type, and text deleted after the date of introduction is crossed out twice.

SECTION 4. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Resolution, it being the intent of the Council that this Resolution shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that to the extent that any section of the Charter of the Town is in conflict with the provisions of Sections 1 through 2 of this Resolution, such section or sections be and hereby are repealed to the extent of such conflict.

SECTION 6. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that the date of adoption of this Resolution is July 14, 2022, and the Charter amendment enacted by this Resolution shall become effective upon the fiftieth (50th) day after adoption, or on September 2, 2022, unless a proper petition for a referendum hereon shall be filed on or before the fortieth (40th) day after adoption, or on August 23, 2022, as permitted by law. A complete and exact copy of this Resolution shall be posted at the Town Offices at 5585 Main Street, Rock Hall, Maryland, or another main municipal building or public place, for a period of at least forty (40) days following its adoption, or until August 23, 2022, and the title to this Resolution, being a fair summary of the Charter amendment enacted hereby, shall be published in a newspaper of general circulation in the Town not less than four (4) times, at weekly intervals within a period of at least forty (40) days, starting immediately after the date of its adoption, or between July 14, 2022 and August 23, 2022.

SECTION 7. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that as soon as the Charter amendment enacted by this Resolution shall become effective, either as herein provided or following a referendum, the Clerk-Treasurer shall send by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services of the State of Maryland, the following documents or information concerning the Charter amendment: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Council or in a referendum; and (4) the effective date of the Charter amendment.

SECTION 8. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that the Clerk-Treasurer is hereby authorized and directed to carry out the provisions of Sections 6 and 7 hereof; and as evidence of compliance herewith, the Clerk-Treasurer shall cause to be affixed to the minutes of the Council for the meeting at which this Resolution is adopted: (1) a certificate to the effect that this Resolution was duly and properly posted as provided in Section 6 herein; (2) an appropriate certificate of publication in the newspaper in which the fair summary of the Charter amendment shall have been published as provided in Section 6 herein; and (3) the return receipt of the mailing as provided in Section 7 herein.

This Charter Amendment Resolution was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 12th day of May 2022, and having been reviewed and considered for final action, was duly adopted on the 14th day of July 2022.


Dawn Jacobs, Mayor (VOTE)


Carolyn Jones, Vice Mayor (VOTE)


Eleanor Collyer, Councilmember (VOTE)


Timothy Edwards, Councilmember (VOTE)


James Cook, Councilmember (VOTE)

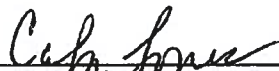
Approved as to form:

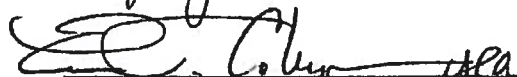
Patrick W. Thomas, Town Attorney

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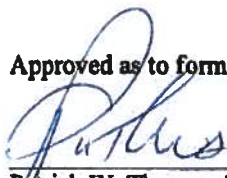

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