



CHARTER AMENDMENT RESOLUTION 20-01

**CHARTER AMENDMENT RESOLUTION
OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE
CHARTER OF THE CITY OF NEW CARROLLTON, §C-5 "BOARD OF
ELECTIONS" TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD
OF ELECTIONS FROM THREE TO FIVE**

WHEREAS, pursuant to the authority contained in Article XI-E, §4 of the Constitution of the State of Maryland and Md. Code Ann., Local Gov't Art., §4-301 et seq., the City Council of New Carrollton has the authority to amend the City's Charter, in accordance with the procedures set forth therein; and

WHEREAS, the City Board of Elections has requested that the number of members of the Board of Elections be increased from three to five; and

WHEREAS, the City Council of New Carrollton deems it to be necessary and appropriate for good government and for the good of the conduct of City of New Carrollton elections to amend the City Charter accordingly.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of New Carrollton, that the Charter of the City of New Carrollton, §C-5 "Board of Elections" shall be and is hereby amended to read as follows:

§ C-5 Board of Elections.

A. Appointment and qualifications. There shall be a Board of Elections consisting of [three (3)] **FIVE (5)** members who shall be appointed by the Mayor with the approval of the Council. [Two (2)] **THREE (3)** members shall be appointed at the first Council meeting in June of every even-numbered year, and [one (1)] **TWO (2)** memberS shall be appointed at the first Council meeting in June of every odd-numbered year. The terms of the members of the Board of Elections shall begin on the 15th day of June in the year in which they are appointed and shall run for two (2) years, or until their successor is appointed. Members of the Board of Elections shall be qualified voters of the City and shall not hold or be candidates for any elective office during their terms of

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office. The Board shall appoint one of its members as Chairperson. Vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term. Any compensation of the members of the Board shall be determined by the Council.

B. Duties. The Board of Elections shall be in charge of the conduct of all City elections, as well as referendum matters, to the extent not inconsistent with State law. The City Clerk shall serve as Secretary to the Board. The Board of Elections shall appoint as many judges and clerks, who shall themselves be registered voters of the City, as may be required to conduct the election in such place as may be designated by the Mayor **AND THE CITY COUNCIL**.

C. Removal. Any member of the Board of Elections may be removed for good cause by the Mayor with the approval of the Council. Before removal, the member of the Board of Elections to be removed shall be given a written statement of the charges against him or her and shall have a public hearing on said charges before the Council if he or she so requests within ten (10) days after receiving the written charges against him or her.

Section 2: **NOW, THEREFORE, BE IT FURTHER RESOLVED** by the City Council of New Carrollton that if any provision of this Charter Amendment Resolution or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Charter Amendment Resolution that can be given effect without the invalid provision or application, and for the purpose the provision of this Charter Amendment Resolution are declared severable.

Section 3: **BE IT FURTHER RESOLVED** that this Charter Amendment Resolution is adopted this 15th day of January, 2020, and that the amendments to the Charter of the City of New Carrollton, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with the Local Government Article of the Annotated Code of Maryland within 40 days following its passage. A fair summary of this Resolution shall be posted in the City Hall for forty (40) days following its adoption and published in a newspaper having general circulation in the City no fewer than four (4) times at weekly intervals within the forty (40) days following its passage by the City.

Section 4: **BE IT FURTHER RESOLVED** that prior to the adoption of this Charter Amendment Resolution, the City Council of New Carrollton conducted a public hearing on the proposed amendment on the 15th day of January, 2020, after at least 21 days' advance notice of the public hearing.

Section 5: **BE IT FURTHER RESOLVED** that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Administrative Officer shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this

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Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the City Council of New Carrollton or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 6: BE IT FURTHER RESOLVED that the City Administrative Officer of the City of New Carrollton, Maryland be, and hereby is specifically instructed to carry out the provisions of Sections 4 and 6 as evidence of compliance herewith; and the City Administrative Officer shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

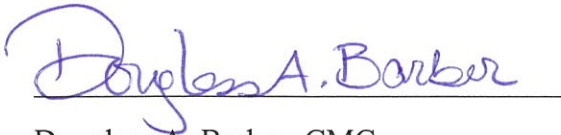
INTRODUCED by the City Council of New Carrollton at a Regular Meeting of the City Council on the 18th day of December, 2019.

ADOPTED AND ENACTED by the City Council of New Carrollton at a Regular Meeting of the City Council on the 15th day of January, 2020.

Effective: March 5, 2020

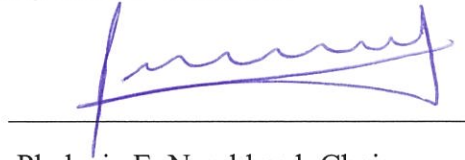
Attest:

City of New Carrollton



Douglass A. Barber, CMC

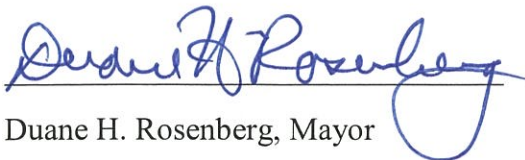
City Clerk



Phelecia E. Nembhard, Chair

Date: JANUARY 15, 2020

Approved:



Duane H. Rosenberg, Mayor

Date: JANUARY 15, 2020

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