

## **CHARTER AMENDMENT RESOLUTION 18-04**

CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON, MARYLAND AMENDING CITY CHARTER, §C-4 "QUALIFICA-TIONS OF ELECTED OFFICIALS" TO CLARIFY THE QUALIFICATIONS OF ELECTED OFFICIALS; AMENDING CITY CHARTER, §C-5 "BOARD OF ELECTIONS" TO CLARIFY THE BOARD OF ELECTIONS' ROLE AND ITS AUTHORITY REGARDING ELECTION JUDGES AND CLERKS; AMENDING CITY CHARTER, §C-6 "QUALIFICATIONS AND REGISTRATION OF VOTERS" TO INCLUDE A REFERENCE TO THE STATE UNIVERSAL REGISTRATION ACT; AMENDING CITY CHARTER, §C-7 "ELECTIONS" TO CLARIFY NOMINATING PETITIONS MAY BE FILED; AMENDING CITY CHARTER, §C-19 "REFERENDA" TO ADD CLARIFYING LANGUAGE FROM STATE LAW; TO REPEAL §C-20 "ORDINANCES OR RESOLUTIONS INITIATED BY QUALIFIED **VOTERS**"; RENUMBERING OF REMAINING **SECTIONS**; AND NONSUBSTANTIVE REVISIONS (I.E. CORRECT SPELLING).

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 has the authority to amend the City's Charter, in accordance with the procedures set forth therein; and

WHEREAS, based upon the recommendation of the City Board of Elections, the Council of the City of New Carrollton desires to amend certain provisions of the City Charter that pertain to voting and elections to clarify the City's current election practices; and

WHEREAS, the Council of the City of New Carrollton deems it to be necessary and appropriate for good government and for the good of the City of New Carrollton to amend the City Charter in order to update the Charter as it pertains to the City's election practices.

**Section 1: NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, §C-4 "Qualifications of elected officials" shall be and is hereby amended to read as follows:

§ C-4 Qualifications of elected officials.

AT THE TIME OF TAKING OFFICE, [E]Each elected official of the City shall have attained the age of at least twenty-five (25) years, must be a citizen of the United States, [and] a resident of the City of New Carrollton and [must be] a registered voter of [said] THE State OF MARYLAND and of [said]THE City. Commencing with the 2015 City election, candidates for

elected office must be a resident of the City of New Carrollton for a minimum of one hundred eighty (180) days **IMMEDIATELY** preceding the filing deadline for candidacy. Each [such] elected official shall retain, throughout [his or her]**THEIR** respective term of office, all of the qualifications necessary for [his or her]**THEIR** election or appointment, and the failure to retain all of such qualifications shall **IPSO FACTO** cause a forfeiture of office, and the Council shall proceed forthwith to fill said vacancy.

Section 2: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of New Carrollton, Maryland, 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) members who shall be appointed by the Mayor with the approval of the Council. Two (2) members shall be appointed at the first Council meeting in June of every even-numbered year, and one (1) member shall be appointed at the first Council meeting in June of every oddnumbered 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 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 registration of voters, nominations for public office and THE CONDUCT OF all City elections, as well as referendum matters, to the extent not inconsistent with State law. The [Administrative Officer of the] City CLERK shall serve as Secretary to the Board. [The Board may appoint election clerks to assist it in its duties.] 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.

<sup>[ ]:</sup> Brackets denote language deleted from the City Charter.

BOLD CAPS: BOLD CAPS denote language added to the City Charter.

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 3: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, §C-6 "Qualifications and registration of voters" shall be and is hereby amended to read as follows:

§ C-6 Qualifications and registration of voters.

A. Qualifications. Every person who is a citizen of the United States, is at least eighteen (18) years of age on or before the day of the next general or special election, who has resided within the corporate limits of the City for at least thirty (30) days next preceding any City election, who is a resident of the City as of the time for the closing of registration next preceding any election, if registered, shall be entitled to vote at any or all City elections. [All citizens legally registered under the Constitution and laws of the State of Maryland shall be registered voters of the City of New Carrollton within the meaning of this Charter.]

B. Registration. [Any person possessed of all the qualifications that are necessary to entitle a person to exercise the right to register as a voter of Prince George's County under the State of Maryland general election laws, including those qualifications as listed in § C-6A, above, shall be entitled to be registered. Any such qualified citizen residing within the corporate limits of the City of New Carrollton who is registered to vote with the Supervisor of Elections for Prince George's County shall automatically become a registered voter of the City of New Carrollton and be entitled to vote at general or special elections of the City of New Carrollton.] IN ACCORDANCE WITH THE STATE UNIVERSAL REGISTRATION ACT, AS CONTAINED IN MD. CODE ANN., ELECTIONS ARTICLE, §3-403, AS AMENDED, ANY PERSON RESIDING IN THE CITY WHO IS REGISTERED WITH THE BOARD OF SUPERVISORS OF ELECTIONS OF PRINCE GEORGE'S COUNTY SHALL BE DEEMED TO BE REGISTERED TO VOTE IN CITY ELECTIONS.

- C. Removal, The [Supervisor] BOARD of Elections for Prince George's County shall maintain the registration lists in accordance with its usual procedures, including but not limited to removing names because of changes of address and cancellation of registration for failure to vote.
- D. Appeal. Challenges to the registration of any individual not believed to be qualified to vote in City elections shall be filed with the [Supervisor]BOARD of Elections of Prince George's County, Maryland, in accordance with said [Supervisor's]BOARD'S procedures.
- NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of Section 4: the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, §C-7 "Elections" shall be and is hereby amended to read as follows: § C-7 Elections.
- A. Conduct and procedure. All elections to fill the office of Mayor and/or Councilmember shall be on a nonpartisan basis, shall be by secret ballot and shall be held on the first Monday in May, of every year in which there is an election, except a special election as provided in §C-3B(2), which may be held on any day as determined by the City Council. The City Council may adopt by ordinance any procedures and regulations consistent with the provisions of this Charter and with the applicable [provisions of the election] laws of the State of Maryland necessary to provide for the orderly conduct of municipal elections, including but not [restricted]LIMITED to provisions for absentee ballots and for write-in candidacies. No person shall be allowed to vote in any City election except those persons whose names shall appear upon the City voter registration list. [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.] The Council shall regulate, by ordinance, the hours during which the polls shall be kept open [; however, the polls shall remain open during the hours that polls are scheduled to be open for the general elections of the State of Maryland]. The Board of Elections shall conduct such elections, canvass the ballots and certify the results in the manner prescribed by the [general election laws of this State for State and County elections]THE CITY CHARTER AND/OR CITY CODE, except that the Board of Elections shall, within twenty-four (24) hours after each election, deliver into the hands of the Mayor one (1) certificate

or return of the result of the canvass of the ballots as cast in the election, together with the tally sheet, and shall deliver another certificate or return of the result of said canvass, together with the other tally sheet, into the hands of the Mayor Pro Tem. When paper ballots are used, the Board of Elections shall deliver the ballot box containing the ballots, properly sealed, to the City Clerk, in person, who shall retain the same for six (6) months. The results of the election shall be received by the Council from the Mayor at the first regular meeting of the Council following the election. The Council shall determine all cases arising from the results of the elections, except as otherwise may be provided, and any voter who feels he or she has been aggrieved by any ruling as to the eligibility of his or her right to vote may file an appeal to the Circuit Court for Prince George's County, Maryland, and the same shall be determined by said Court. The provisions of this section shall apply to all annual general elections and to any special election conducted as provided elsewhere in this Charter, and to referendum petitions as provided for elsewhere in this Charter.

- B. Nomination of candidates. Any qualified person desiring to run for any elective office of the City shall file[, or there shall be filed in his or her behalf,] with the Board of Elections, a nominating petition containing the valid signatures of at least ten (10) persons who are qualified voters of the City of New Carrollton[,]. NOMINATING PETITIONS MAY BE FILED WITH THE CITY CLERK IN ANY ELECTION YEAR COMMENCING THE THIRD TUESDAY OF FEBRUARY, HOWEVER, SUCH PETITIONS SHALL BE FILED no later than 5:00 p.m. [of the 31st day, including Sundays and legal holidays, prior to a general or special election] OF THE LAST BUSINESS DAY OF THE MONTH OF MARCH. If the aforementioned [31st] day is a [Saturday, Sunday or a] legal holiday, then the nominating petition shall be submitted on the next business day. Each person signing [the] A NOMINATING petition shall indicate thereon both his or her name and his or her residence address. A NOMINATING petition [of candidacy] may be withdrawn by submission of a written statement, signed by the candidate, any time prior to the filing deadline for candidacy. The Board of Elections shall be authorized to delete from a ballot the name of a candidate if a candidate dies or withdraws or becomes disqualified for any reason.
- C. Notice of election. The Board of Elections shall give notice of every election day by an advertisement published in at least one (1) publication [of general circulation] within the City once between thirty (30) and forty (40) days prior to the election date and by posting notice of

such election day in some public place or places within the City. The Board of Elections shall also cause to be published in at least one (1) publication [of general circulation] within the City a second notice of election containing the names of all candidates for elective office once between three (3) and ten (10) days prior to the election date.

D. Candidates elected. At each election in which a Mayor is to be elected, the candidate for Mayor receiving the highest number of votes cast at the election shall be declared duly elected to the office of Mayor. At the election held during every even-numbered year, the two (2) candidates for Councilmember receiving the highest number of votes cast at the election shall be declared duly elected to the office of Councilmember, and at the election held during every oddnumbered year, the three (3) candidates for Councilmember receiving the highest number of votes cast at the election shall be declared duly elected to the office of Councilmember. In the event of a special election to fill a vacancy on the Council, the candidate or candidates for Councilmember receiving the highest number of votes cast at the election shall be declared elected to complete the unexpired term(s) of office of Councilmember. In the event that vacancies on the Council would require that one (1) or more additional Councilmembers be elected at an election to a one-year term to maintain a full five-Member council, the candidate or candidates for Councilmember receiving the next-highest number of votes cast at the election, after those candidates elected to the regular two-year terms on the Council, shall be declared elected to the office of Council Member for the one-year term or terms. In the event of a tie vote for any [remainder of the] office, a runoff election between the tied candidates shall be conducted [not later than thirty (30) days from] ON THE FOURTH TUESDAY

**FOLLOWING** the date of the election in which the tie vote occurred.

[E. Corrupt practices. All the provisions of the Public General Laws of Maryland now in force or hereafter enacted relating to the determination of elections, providing penalties for illegal registration, illegal voting and corrupt practices and requiring reports of the expenditure of money in connection with any election shall be and hereby are made applicable to all elections held under the provisions of this Charter.]

Section 5: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, § C-19 "Referendums" shall be and is hereby amended to read as follows:

## § C-19 [Referendums] REFERENDA.

A. Petition: annexation resolution. At any time within the forty-five-day period following the final enactment of an annexation resolution, 1) a number of persons equal to not less than twenty percent (20%) of the registered voters who are residents in the area to be annexed 2) at least 20% of the qualified voters of the City and/or 3) the governing body of the County in which the City is located, by at least a 2/3 majority vote, may, in writing, petition the Mayor and City Administrative Officer of the City for a referendum on the resolution. Upon the presentation of a petition [to the officer] by the residents of the area to be annexed or the qualified voters of the City, [he or she] THE CITY ADMINISTRATIVE OFFICER shall cause to be made a verification of the signatures thereon and shall ascertain that the persons signing the petition represent at least twenty percent (20%) of either the registered voters who are residents in the area to be annexed or the qualified voters of the City, depending on the petition reviewed. Upon verifying that the requirements of this subsection and Division II "Municipalities", Title 4 "In General", Subtitle 4 "Annexation" of the Local Government Article of the Annotated Code of Maryland have been complied with, the officer shall by proclamation suspend the effectiveness of the resolution, contingent upon the results of the referendum. UPON PRESENTATION OF A PETITION BY THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY, THE CITY ADMINISTRATIVE OFFICER SHALL VERIFY COMPLIANCE WITH THE REQUIREMENTS OF DIVISION II "MUNICIPALITIES", TITLE 4 "IN GENERAL", SUBTITLE 4 "ANNEXATION" OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND UPON VERIFYING COMPLIANCE THE MAYOR, BY PROCLAMATION, SHALL SUSPEND THE EFFECTIVENESS OF THE ANNEXATION RESOLUTION PENDING THE RESULTS OF THE REFERENDUM.

The Council shall have the annexation resolution or the part thereof requested for referendum submitted to a referendum in accordance with the provisions of Division II "Municipalities", Title 4 "In General", Subtitle 4 "Annexation" of the Local Government Article of the Annotated Code of Maryland and the Council shall have the authority to enact ordinances to provide for conducting and tabulating the results of such a referendum.

B. Petition: Charter amendment resolution. A Charter amendment or amendments proposed by the City Council of the City shall become and be considered a part of the City Charter, according to the terms of the amendment or amendments, in all respects to be effective and observed as such, upon the 50th day after being so ordained or passed, unless on or before the 40th day after being so ordained or passed there shall be presented to the City Council of the City, or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, a petition meeting the requirements of this subsection and the Local Government Article of the Annotated Code of Maryland. The petition shall be signed by twenty percent (20%) or more of the qualified voters for general elections of the City and shall request that the proposed amendment or amendments be submitted to referendum of the qualified voters of the City. Petitions for referendum of a Charter amendment resolution shall be handled in accordance with the applicable provisions of the Local Government Article of the Annotated Code of Maryland, AS AMENDED.

C. Petition: ordinances. If, before the expiration of twenty (20) calendar days following approval of an ordinance, a petition is filed with the City Board of Elections containing the signatures of not less than eight per centum (8%) of the qualified voters of the City and requesting that the ordinance or resolution, or any part thereof, be submitted to a vote of the qualified voters of the City for their approval or disapproval, the Council shall have the ordinance or the part thereof requested for referendum submitted to a vote of the qualified voters of the City at the next regular City election or, in the Council's discretion, at a special election occurring before the next regular election. A petition must be submitted to the City Attorney to be approved by him/her in order for the petition to be valid. The City Attorney shall have three (3) business days to approve the petition. No ordinance, or the part thereof requested for referendum, shall become effective following the receipt of such petition until and unless approved at the election by a majority of the registered voters voting on the question. An emergency ordinance, or the part thereof requested for referendum, shall continue in effect for sixty (60) days following receipt of such petition. If the question of approval or disapproval of any ordinance, or any part thereof, has not been submitted to the registered voters within sixty (60) days following receipt of the petition, then the operation of the ordinance, or the part thereof requested for referendum, shall be suspended until approved by the majority of the registered voters voting on the question at the election. Any ordinance, or part thereof, disapproved by the voters shall stand repealed. The provisions of this section shall be self-executing, but the Council may adopt ordinances in furtherance of these provisions and not in conflict with them.

- D. Petition: form. Each person signing a petition shall indicate thereon both his or her name and residence address. Each person signing the petition shall also print his or her name and address, but failing to print a name and/or address shall not disqualify a corresponding signature. A petition may consist of several pages, but each page shall contain a request that the resolution or ordinance be submitted on referendum to the voters of the City and shall also consist of the complete text or an accurate and fair summary of the ordinance, annexation resolution, Charter amendment resolution or other resolution petitioned upon. There shall be at the bottom of each page of signatures filed with a petition an affidavit of the person procuring the signatures on such page that to the person's best knowledge and belief every signature on it is genuine and bona fide and that the signers are qualified voters of the City. Upon receiving the petition, the Board of Elections is directed to verify that it has been signed by the required number of qualified voters. A minor variation in the signature of a petitioner between his or her signature on a petition and that on the City voter registration records shall not invalidate the signature. The invalidation of one signature on a petition shall not serve to invalidate any others. If the petition fails to contain the required number of valid signatures, as determined by the Board of Elections, the petitioners may submit, as an amendment to their original petition, the additional number of valid signatures to meet the requirements of this subsection but within the aforementioned time.
- E. Petition: applicability. The provisions of this subsection shall not apply to any ordinance, or part thereof, levying property taxes for the payment of indebtedness, but the provisions of this subsection shall apply to any ordinance, or part thereof, levying benefit assessment charges.

  F. Effect of petition. Any ordinance or resolution, or the part thereof requested for referendum, shall be suspended following the receipt of such petition until and unless found to be invalid or approved at the election thereon by a majority of the qualified voters voting on the question; provided, however, that for ordinances the total number of votes cast in any special election shall equal at least twenty-five percent (25%) of the total number of votes cast in the last municipal general election. In the case where fewer than twenty-five percent (25%) of the votes in the previous municipal election are cast, then the ordinance or resolution shall be considered approved and valid and the suspension of its effectiveness shall end. Any ordinance or resolution, or part thereof, disapproved by the voters shall stand repealed.
- G. Advisory referendums. The Council, for its guidance, may provide for advisory referendum questions at a regular or a special municipal election.

Section 6: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, § C-20 "Ordinances or resolutions initiated by qualified voters" shall be and is repealed as follows:

[§ C-20 Ordinances or resolutions initiated by qualified voters.

A. Petition. Eight per centum (8%) or more of the qualified voters of the City may initiate a proposed ordinance or a resolution, other than a resolution for annexation, or a Charter amendment, by a petition presented to the Board of Elections. The petition shall contain the complete and exact wording of the proposed ordinance or resolution. Each person signing a petition shall indicate thereon both his or her name and residence address. Each person signing the petition shall also print his or her name and address. A petition may consist of several pages, but each page shall contain a request that the resolution or ordinance be submitted as an initiative to the voters of the City and shall also consist of the complete text and exact wording of the ordinance or resolution petitioned upon. There shall be at the bottom of each page of signatures filled with a petition an affidavit of the person procuring the signatures on such page that to the person's best knowledge and belief every signature on it is genuine and bona fide and that the signers are qualified voters of the City. Upon receiving the petition, the Board of Elections is directed to verify that it has been signed by the required number of qualified voters and shall consider the petition as of no effect if it is signed by fewer than eight per centum (8%) of the qualified voters of the City. A minor variation in the signature of a petitioner between his or her signature on a petition and that on the City voter registration records shall not invalidate his or her signature. The invalidation of one signature on a petition shall not serve to invalidate any others. If the petition fails to contain the required number of valid signatures, as determined by the Board of Elections, the petitioners may submit, as an amendment to their original petition, the additional number of valid signatures to meet the requirements of this subsection. B. Effect of petition. If the petition complies with the requirements of this section, the Council shall, by resolution passed as in its normal legislative procedure, and not later than sixty (60) days after the petition shall have been certified as valid by the Board of Elections, specify the day and the hours for the election at which the question shall be submitted to the voters of the City. This election, in the discretion of the Council, may be the next annual general election or a

special election. If the question shall be submitted to the voters in a special election, the total number of votes cast in the special election must equal at least twenty-five percent (25%) of the total votes cast in the last municipal general election. In the event that a special election is designated, it shall be within a period of not less than forty (40) days nor more than sixty (60) days after the final passage of the resolution setting the date of said election. In the resolution, the exact wording shall be specified which is to be placed on the ballots or voting machines when the question is submitted to the voters of the municipal corporation. If the question is approved by a majority of the voters at the election, the Council shall proceed immediately to enact the ordinance or resolution.

C. Council enactment. If the Council shall approve of the ordinance or resolution provided for in the petition, the Council shall have the right by resolution to pass the ordinance or resolution proposed by the initiative petition and to proceed thereafter in the same manner as if the ordinance or resolution had been initiated by such legislative body.]

Section 7: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, §C-21 "Recall of elected officials" shall be and is hereby amended to read as follows: § C-[21]20 Recall of elected officials.

- A. Application. The holder of any elected office of the City shall be subject to recall for failure to perform the duties of his or her office as such duties are set forth in this Charter.
- B. Petition. If a petition signed by not less than twenty-five percent (25%) of the qualified registered voters of the City shall be presented to the Board of Elections setting forth that the officeholder in question has failed to perform the duties of his or her office and specifying the instances of such failure and requesting an election to vote upon the recall of the officeholder, the Board of Elections shall immediately pass upon the legal sufficiency thereof and shall verify that the petition has been signed by the required number of qualified registered voters. Each person signing the petition shall indicate thereon their name and residence address. The Council shall consider the petition as of no effect if it is signed by fewer than twenty-five percent (25%) of the persons who are qualified to vote in municipal elections. A minor variation in the signature of a petition between his or her signature on a petition and that on the City voter

registration records shall not invalidate the signature. The invalidation of one signature on a petition shall not serve to invalidate any others.

- C. Effect of petition. If the Board of Elections shall determine that the petition meets all the requirements of this section, the Council shall, by resolution, specify the day and the hours for a special election to be held, not more than forty-five (45) calendar days from the date said resolution is adopted. The resolution shall specify the exact wording of the question which is to appear on the ballot. The ballot question shall include the name of the officeholder in question and the office which he or she holds and shall request a "yes" or a "no" vote as to his or her removal from that office. The ballot question shall not specify, or in any way refer to or imply, the reasons for which removal is being sought.
- D. Results of election. If a majority of the voters in the special election vote in favor of recalling the officeholder in question, upon certification of the results of the election by the Board of Elections to the Council, said office shall thereupon be declared vacant by the Council and shall be filled by the Council in the manner prescribed by this Charter; provided, however, that if the total number of votes cast in the special election does not equal at least twenty percent (20%) of the total number of registered voters, then the results of the election shall be considered to have no effect.

**Section 8: NOW, THEREFORE, BE IT FURTHER RESOLVED** by the City Council of the City of New Carrollton, Maryland, that the Charter of the City of New Carrollton, § C-22 "Code of Ethics" and § C-22 "Legislative Intent" shall be and are hereby renumbered read as follows:

**Section 9: BE IT FURTHER RESOLVED**, 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 10: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this 17th day of January, 2018, 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 11: 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 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 Council of the City of New Carrollton or in a referendum; and (iv) the effective date of the Charter Amendment.

**Section 12: 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 10 and 11 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 AND ADOPTED** by the Council of the City of New Carrollton, Maryland at a Meeting on the 17<sup>th</sup> day of January, 2018.

Attest:

Douglass A. Barber, CMC

City Clerk

City of New Carrollton

Lincoln Lashley, Chairman

Chairman City Council

Date: <u>Jonusey</u> 17, 2018

Approved:

Andrew C. Hanko, Mayor

Date: January 17, 2018