

**THE COMMISSIONERS OF
THE TOWN OF COTTAGE CITY
CHARTER AMENDMENT RESOLUTION NUMBER 2022-01**

A CHARTER AMENDMENT RESOLUTION OF THE COTTAGE CITY COMMISSION TO AMEND SECTION 9 (MEETINGS OF COMMISSION) OF THE CHARTER OF THE TOWN OF COTTAGE CITY TO AUTHORIZE THE COTTAGE CITY COMMISSION TO RECESS FROM ITS MONTHLY REGULAR MEETINGS IN THE MONTH OF AUGUST; AND GENERALLY RELATING TO THE COTTAGE CITY COMMISSION.

INTRODUCED BY: Commissioner-Chair Wheatley

WHEREAS, pursuant to Section 6 of the Charter of the Town of Cottage City (the “Charter”), the corporate powers of the Town shall be vested in, and shall be exercised by, and said Town shall be governed by, a commission to be known as the Cottage City Commission; and

WHEREAS, to initiate a charter change pursuant § 4-304 of the LG Article of the Maryland Code, the elected governing body of a municipality must typically first pass a resolution to effect a charter change and must post an exact copy of the charter amendment resolution at the town hall or some other public place for at least 40 days after passage of the resolution, and the law further requires the municipality to publish a “fair summary” of the proposed amendment not less than four times at weekly intervals in a newspaper of general circulation in the community, and unless an approved charter amendment is petitioned to referendum, an amendment becomes effective 50 days after a municipal governing body passes a charter amendment resolution; and

WHEREAS, the General Assembly of Maryland passed HB 615 during the 2018 session effective July 1, 2018 requiring the legislative body of a municipality to hold a public hearing

and give at least 21-days' notice by posting the notice in a public place before adopting a resolution initiated by the legislative body that proposes an amendment to the municipal charter; and

WHEREAS, Section 9 of the Charter requires the Cottage City Commission to meet in regular session once every month of the year; and

WHEREAS, the Cottage City Commission finds that during the month of August it is customary that many municipal governing bodies in Maryland will recess to allow officials and townspeople a respite and to focus on other matters including families and travel out of Town, and that the sitting commissioners find that the strict charter requirement to meet should be changed to allow meetings to be held in August only if needed.

Section 1. **NOW, THEREFORE, BE IT RESOLVED BY THE COTTAGE CITY COMMISSION** on this ____ day of November 2022 that Section 9 (Meetings of commission) of the Charter of the Town of Cottage City, Maryland shall be amended and adopted to read as follows:

* * *

The Commission

* * *

Section 9. Meetings of commission.

The commission shall meet at 7:00 P.M. on the second Wednesday of every month, EXCEPT THE MONTH OF AUGUST WHICH MAY BE HELD AT THE DISCRETION OF THE COMMISSION. The May meeting shall be for the purpose of organization as well as for the conduct of regular business. Special or executive meetings shall be called by the clerk-treasurer OR TOWN MANAGER upon the request of the chair commissioner or of a majority of the members of the commission. All meetings of the commission shall be open to the public, except that meetings may be closed according to the standards set forth in the laws of the State of Maryland. The rules of the commission shall provide that residents of the Town shall have a reasonable opportunity to be heard at the regular monthly meeting in regard to any municipal question.

* * *

CAPITALS

:Indicate matter added to existing law

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~~[[Stricken Double Brackets]]~~

:Indicate matter deleted from existing law

Asterisks * * *

:Indicate that text is retained from existing law but omitted herein.

Section 2. **BE IT FURTHER RESOLVED** that, unless a proclamation, notice or resolution issued subsequently states otherwise, this Charter Amendment Resolution is adopted on the aforementioned date, and that upon a hearing and adoption by the Cottage City Commission, a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Office for a period of at least forty (40) days following the date of its adoption. Additionally, unless a proclamation, notice or resolution states otherwise, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in the Town of Cottage City not less than four (4) times at weekly intervals within the forty (40) days following the adoption this Charter Amendment Resolution, and the Clerk to the Commission shall further endeavor, as much as practical, to publish a summary or a complete copy of this resolution by as many methods of communication as are reasonably possible of the following: posting on the Town's website, newsletter, the Cable TV channel, or any appropriate list serve.

Section 3. **BE IT FURTHER RESOLVED** that the Amendment initiated in this Charter Amendment Resolution shall take effect and shall become and be considered the Charter of the Town of Cottage City, upon the fiftieth day after being so ordained or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Cottage City Commission or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

Section 4. **BE IT FURTHER RESOLVED** that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk shall send separately, by certified mail, return receipt requested, to the Department of Legislative Services within 10 days after the charter resolution becomes effective, the following information

concerning the Charter Amendment: (i) the complete text of this Charter Amendment Resolution; (ii) the date of the referendum election, if any held with respect thereto; (iii) the number of votes cast for and against this Charter Amendment Resolution by the Cottage City Commission or a referendum election; and (iv) the effective date of the Charter Amendment.

Section 5. **BE IT FURTHER RESOLVED** that the Town Clerk-Treasurer/Town Manager of the Town of Cottage City is specifically instructed to carry out the provisions of Sections 2, 3, and 4 hereof, as evidence of compliance herewith, the Town Clerk-Treasurer/Town Manager shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Commission Meeting in which it is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

Section 6. **BE IT FURTHER RESOLVED** that the Commissioner-Chair shall be authorized to sign this Charter Amendment Resolution on behalf of the Cottage City Commission.

PASSED by the Cottage City Commission at a regular meeting held on the ____ day of November 2022.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

Carol Richardson, Town Manager

Wanda Wheatley, Commissioner-Chair

CAPITALS

:Indicate matter added to existing law

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~~[[Stricken Double Brackets]]~~

:Indicate matter deleted from existing law

Asterisks * * *

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CERTIFICATE OF EFFECT

I, HEREBY CERTIFY THAT THE FOREGOING CHARTER AMENDMENT RESOLUTION OF THE COTTAGE CITY COMMISSION DESIGNATED CHARTER AMENDMENT RESOLUTION NO. 2022-01 WAS DULY INTRODUCED, READ, AND WAS ADOPTED BY THE COMMISSION AT A DULY ANNOUNCED PUBLIC MEETING AND THEREAFTER POSTED AND ADVERTISED FOR 4 SUCCESSIVE WEEK(S), IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND.

ATTEST:

Carol Richardson, Town Manager
The Town of Cottage City, Maryland

CHARTER AMENDMENT RES. (“CAR”) SCHEDULE

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|----------------------------|-------|
| DATE OF INTRODUCTION: | _____ |
| DATE PASSED/POSTED | _____ |
| POSTING END DATE | _____ |
| FAIR SUMMARY NEWSPAPER | _____ |
| PUBLICATION DATES (NMT X4) | _____ |
| | _____ |
| | _____ |
| | _____ |
| EFFECTIVE DATE: | _____ |