

THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK

CHARTER AMENDMENT RESOLUTION NO. 19-04

A RESOLUTION concerning administration

FOR the purpose of removing certain responsibilities from the Division of Engineering; adding a Deputy Director for Engineering and Operations; and generally relating to the government of The City of Frederick.

BY repealing and reenacting, with amendments, Article VI, § 2-B of the Charter of The City of Frederick.

BY adding Article VI, § 2-E of the Charter of The City of Frederick

SECTION I: BE IT RESOLVED, ENACTED, AND ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK that Article VI, § 2-B of the Charter of The City of Frederick be repealed and reenacted as follows:

§ 2-B. Division of Engineering.

- (a) A Division of Engineering is hereby created within the Department of Public Works. In addition to such further duties as the Mayor or Director of Public Works may prescribe from time to time, the Division of Engineering is charged specifically with providing engineering services in the areas of land development and construction, utilities planning, surveying and mapping, and [traffic; administering and enforcing the City's building and technical codes, including issuing permits and performing inspections; administering and enforcing the Property Maintenance Code; and enforcing the Land Management Code.] traffic.
- (b) With the advice and consent of the Board of Aldermen, in accordance with Article III, § 6 of this Charter, the Mayor shall appoint a Deputy Director for Engineering, who may also be known as the City Engineer, to administer the Division of Engineering. The Deputy Director for Engineering will be supervised by the Director of Public Works. The Deputy Director for Engineering may be discharged from office in accordance with Article III, § 6 of this Charter.

SECTION II: BE IT RESOLVED, ENACTED, AND ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK that Article VI, § 2-E of the Charter of The City of Frederick be added to read as follows:

§ 2-E. Deputy Director for Engineering and Operations.

- (a) Notwithstanding the provisions of §§ 2-A and 2-B of this section, in the event of a vacancy in the position of Deputy Director for Operations, with the advice and consent of the Board of Aldermen, the Mayor may appoint the current Deputy Director for Engineering/City Engineer to be the Deputy Director for Engineering and Operations, who would be charged with administering the Division of Operations in addition to the Division of Engineering.

- (b) Notwithstanding the provisions of §§ 2-A and 2-B of this section, in the event of a vacancy in the position of Deputy Director for Engineering/City Engineer, with the advice and consent of the Board of Aldermen, the Mayor may appoint the current Deputy Director for Operations to be the Deputy Director for Engineering and Operations, who would be charged with the Division of Engineering in addition to the Division of Operations.
- (c) Notwithstanding the provisions of §§ 2-A and 2-B of this section, in the event of vacancies in the positions of Deputy Director for Engineering/City Engineer and Deputy Director for Operations, the Mayor may, instead of filling those positions, with the advice and consent of the Board of Aldermen, in accordance with Article III, § 6 of this Charter, appoint a Deputy Director for Engineering and Operations to administer the Division of Engineering and the Division of Operations.
- (d) The Deputy Director for Engineering and Operations will be supervised by the Director of Public Works. The Deputy Director for Engineering and Operations may be discharged from office in accordance with Article III, § 6 of this Charter.

SECTION III. BE IT FURTHER RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that if any provision of this resolution or the Charter adopted thereby, or the application thereof to any person or circumstance, is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this resolution or the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this resolution and of the Charter are hereby declared to be severable.

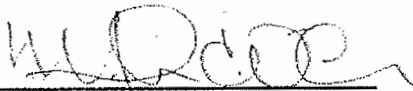
SECTION IV. BE IT FURTHER RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that the date of adoption of this resolution is February 21, 2019, and the amendment to the Charter of The City of Frederick hereby enacted shall become effective on April 12, 2019, unless a proper petition for a referendum is filed on or before April 2, 2019 as provided in the Annotated Code of Maryland, Local Government Article, § 4-304. A complete and exact copy of this resolution shall be continuously posted at City Hall, Frederick, Maryland, until April 2, 2019, and a fair summary of the proposed Charter amendments contained in this resolution shall be published in a newspaper of general circulation in The City of Frederick not fewer than four times at weekly intervals within a period of at least 40 days starting immediately after the adoption of this resolution.

SECTION V. BE IT FURTHER RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that all sections of the Charter or any ordinance or parts of sections of the Charter or any ordinance inconsistent with the provisions of this resolution be and the same are hereby repealed to the extent of such inconsistency.

SECTION VI. BE IT FURTHER RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that the Mayor of The City of Frederick shall send to the Department of Legislative Services the complete text hereof; the date of the referendum election, if any; the number of votes cast for and against the questions contained in the Charter amendment, whether in the legislative body or in referendum; and the effective date of the Charter amendment.

APPROVED: February 21, 2019

PASSED: February 21, 2019

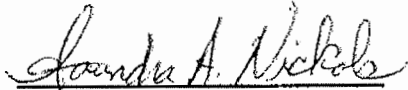


Michael C. O'Connor, Mayor



**Michael C. O'Connor, President
Board of Aldermen**

Approved for Legal Sufficiency:



City Attorney