



**TOWN OF PORT DEPOSIT  
RESOLUTION 01-2019  
CHARTER AMENDMENT  
REVISION TO ARTICLE III, SECTION 301**

A Resolution of the Mayor and Council of the Town of Port Deposit, Cecil County, Maryland titled: CHARTER AMENDMENT- REVISIONS TO ARTICLE III, THE COUNCIL, SECTION 301, NUMBER, SELECTION, TERM

**WHEREAS**, the Mayor and Town Council seek to amend the Charter of the Town of Port Deposit in order to promote more efficient and effective governance within the Town's incorporated boundaries

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Council of the Town of Port Deposit as permitted under Article XI-E of the Constitution of Maryland and Article 23A of the Annotated Code of Maryland, as amended from time to time, that the provisions of the Charter of the Town of Port Deposit, Article III, Section 301, Number, Selection, Term as they now exist are amended as follows, with eliminated content in [brackets] and added content in **bold UPPERCASE**.

Section 301. Number, Selection, Term

All legislative powers of the Town shall be vested in a body designated as "The Council of Port Deposit," consisting of a Mayor and **FOUR (4)** [six (6)] Councilmembers. The qualified voters of the Town shall hold an election for **ONE (1)** [six (6)] Councilmember[s] on the second Tuesday of May, **2019**. [1979 and for three (3) Councilmembers, as hereinafter provided, every two (2) years thereafter. In the case of the election held the second Tuesday of May, 1979, those three (3) Councilmembers who receive respectively the first, second and third highest number of eligible votes cast and shall hold office for four (4) year terms beginning June 1, 1979, and ending May 31, 1983, or until their successors are elected and qualified; those three (3) Councilmembers who receive respectively the fourth, fifth and sixth highest number of eligible votes cast shall serve for two (2) year terms beginning June 1, 1979,

and ending May 31, 1981, or until their successors are elected and qualified.] **ON THE SECOND TUESDAY OF MAY, 2021, THE QUALIFIED VOTERS OF THIS TOWN SHALL HOLD AN ELECTION FOR THREE (3) COUNCIL MEMBERS. THE ELECTED COUNCIL MEMBER RECEIVING THE LOWEST NUMBER OF VOTES SHALL SERVE A TWO (2) YEAR TERM AND THE REMAINING TWO (2) ELECTED COUNCIL MEMBERS SHALL SERVE A FOUR (4) YEAR TERM. IN THE EVENT THAT THE LOWEST NUMBER OF VOTES FOR AN ELECTED COUNCIL MEMBER CANNOT BE DETERMINED THE ELECTED MEMBER WHOSE LAST NAME BEGINS WITH A LETTER CLOSEST TO THE LETTER "Z" SHALL BE CONSIDERED AS HAVING THE LOWEST NUMBER OF VOTES. EVERY ODD NUMBERED YEAR THEREAFTER, TWO (2) COUNCILMEMBERS SHALL BE ELECTED FOR FOUR YEAR TERMS BY THE QUALIFIED VOTERS OF THE TOWN. ON THE SECOND TUESDAY OF MAY, 1979, AND EVERY SECOND ODD NUMBERED YEAR THEREAFTER, A MAYOR SHALL BE ELECTED FOR A FOUR YEAR TERM BY THE QUALIFIED VOTERS OF THE TOWN.** [Three (3) Council members shall be elected at the elections held on the second Tuesday in May, 1981, and each four (4) years thereafter; three (3) Councilmembers shall be elected at the elections held on the second Tuesday in May, 1983, and each four (4) years thereafter. Beginning June 1, 1981].

The terms of all Councilmembers shall be for four (4) years and shall begin on the first **TUESDAY** [day] of the month (June) immediately following their election, (May), and shall end on the fourth next succeeding 31<sup>st</sup> day of May or until their successors are elected and qualified. No person shall be eligible for election as a Councilmember of Port Deposit unless he shall be a qualified voter of the Town. In the case of any precise tie between two Councilmembers, which would prevent one of them from holding office, a run-off election shall be held within the next sixty (60) days.

That the aforestated Section, as revised and attached hereto and incorporated by reference is hereby adopted as the new Section 301 to Article III.

**BE IT HEREBY FURTHER RESOLVED,** that the effective date of the adoption of this resolution is March 5, 2019 and the amendment of the Charter of the Town of Port Deposit hereby enacted shall

become effective on April 24, 2019, unless a proper petition for referendum hereon shall be filed as permitted by Article 23A, Section 13 of the Annotated Code of Maryland, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin Board in the Town Office until April 24, 2019 and provided a copy of the title of this Resolution and a fair summary of the Charter Amendment shall be published in a newspaper of general circulation in the municipal corporation once a week for four weeks on March 15, 2019, March 20, 2019, March 27, 2019 and April 3, 2019.

**BE IT HEREBY FURTHER RESOLVED**, that the Town Administrator is hereby specifically instructed to carry out the provisions of this resolution; and as evidence of such compliance, the Town Administrator shall cause to be maintained appropriate certificates of publication of the newspaper in which the title of the Resolution and the fair summary of the Charter Amendment shall have been published. If a favorable referendum is held on the Charter Amendment, the Mayor and Council shall proclaim the Charter Amendment hereby enacted to be approved by the voters; and the Charter Amendment shall become effective on the date provided by law.

**BE IT HEREBY FURTHER RESOLVED**, that within ten (10) days of this Charter Amendment becoming effective, either as provided herein or following a referendum, the Town Administrator shall send by registered mail to the Maryland Department of Legislative Services a certified copy of this Resolution showing the number of Councilmembers voting for and against it and a report on the votes cast for and against the Amendment hereby enacted at any referendum thereon and the date of such referendum vote.


The above Charter Amendment was enacted by the foregoing Resolution, which was passed at a regular meeting of the Mayor and Council of the Town of Port Deposit on March 5, 2019 by 4 members of the Town Council voting in affirmation, - 0 members of the Town Council voting in the negative, 2 members of the Town Council abstaining, and 0 members of the Town Council absent; and the said Resolution becomes effective in accordance with the law on the 24<sup>th</sup> day of April, 2019.

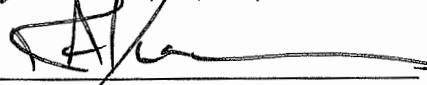
RESOLUTION 01-2019 ADOPTED THIS 5<sup>TH</sup> DAY OF MARCH, 2019.

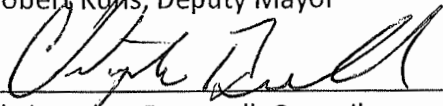
MAYOR AND COUNCIL OF THE TOWN OF PORT DEPOSIT, MARYLAND

ATTEST:

  
Town Administrator

  
Wayne L. Toome, Sr., Mayor


  
Robert Kuhs, Deputy Mayor

  
Christopher Broomell, Council

  
Kevin Brown, Council

ABSTAIN  
John Haines, Council

ABSTAIN  
Thomas Knight, Council

  
Kate Rodgers, Council