

Charter Amendment Res. No.: 2021-1
Introduced: February 10, 2021
Adopted: March 10, 2021
Effective Date: March 10, 2021

SECTION 3 OF THE VILLAGE OF CHEVY CHASE

A RESOLUTION TO AMEND SECTION 602 OF THE CHARTER OF SECTION 3 OF THE VILLAGE OF CHEVY CHASE REGARDING THE CONDUCT OF ELECTIONS

This Resolution of the Council of Section 3 of the Village of Chevy Chase (the "Council") is adopted pursuant to the Constitution of Maryland, Article XI-E, the Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of Section 3 of the Village of Chevy Chase (the "Charter"), to amend Section 602 to the Charter to allow election methods and procedures to be altered in a state of emergency.

Section 1. BE IT RESOLVED BY THE SECTION 3 COUNCIL, that Section 602 be revised to read as follows:

Section 602, Elections

Elections of Council members shall be held on the second Tuesday of May each year. Two Council members shall be elected in even-numbered years and three Council members in odd-numbered years. Elections shall be governed by the following procedures:

(a) Written notice requesting nominations to the Council shall be circulated not less than 45 days prior to the election. Any individual who qualifies under Section 402 may declare his or her own candidacy or be nominated by any qualified voter. Nominations must be received in writing by the Council not less than 30 days prior to the election.

(b) In the event that there are nominated fewer candidates than the number of positions to be filled, the Council shall make such additional nominations as are necessary.

(c) The Council shall give written notice of the nominees together with brief resumes of the candidates at least two weeks prior to the election.

(d) Each qualified voter may cast a ballot on the day of the election during the time designated by the Council for voting. Qualified voters unable to vote in person for any reason may vote by absentee ballot. The Council shall determine rules for absentee voting.

(e) In the event two or more candidates receive the same number of votes for any office to which only one can be elected, there shall be a run-off election by ballot of qualified voters present at the Annual Meeting. The voting shall continue until a tie breaking vote is attained.

(f) Those persons elected to the Council shall take office, at the conclusion of the Annual Meeting or as soon thereafter as they have qualified.

(g) Notwithstanding anything to the contrary contained in this Charter, if a state of emergency has been declared by the Governor of Maryland, within the corporate limits of Section 3, the Council shall be authorized to pass an ordinance to implement such emergency election procedures as may be deemed necessary as a result of the state of emergency, including but not limited to changing the election date and nomination deadline; altering the method, conduct, or voting system of the election; altering the manner of balloting; canceling an uncontested election; and eliminating the use of polling stations.

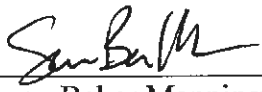
NOTE: Underlining indicates language added to the Charter

[Boldface Brackets] denote language deleted from the Charter


Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is **March 10, 2021** and that the amendment to the Charter hereby provided by this enactment shall be and become effective immediately, the notice, publication, timing, hearing, effective date, and referendum requirements of the Maryland Code, Local Government Article, Title 4, Subtitle 3, being hereby suspended according to the Governor of Maryland's Executive Order No. 20-03-30-03, enabling municipalities to amend the date, method, conduct, or voting system of an election to help control and prevent the spread of COVID-19.

Section 3. AND BE IT FURTHER RESOLVED, that the Chair shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the amendment: (i) the complete text of the amendment as hereby enacted; (ii) the number of votes cast for and against the amendment by the Section 3 Council; and (iii) the effective date of the amendment.

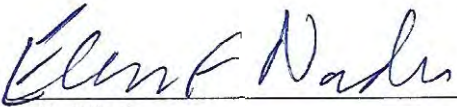
Section 4. AND BE IT FURTHER RESOLVED, that the said Chair be and is hereby specifically instructed to carry out the provisions of this Resolution. As evidence of compliance herewith, the said Chair shall cause to be placed in the official files the return receipt of the mailing referred to in Section 3, and shall further complete and execute the Certificate of Effect attached hereto, and provide notice to the Governor according to Order No. 20-03-30-03.



Susan Baker Manning, Chair



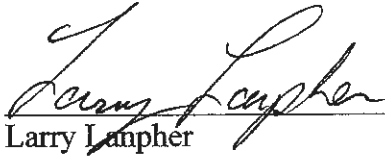
Tom Carroll



Ellie Nader

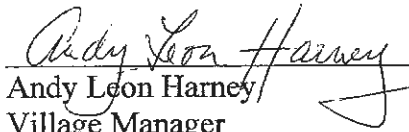


Carolyn Greis



Larry Lanpher

ATTEST:



Andy Leon Harney
Village Manager