

MUNICIPAL CHARTER OR ANNEXATION RESOLUTION REPOSITION FORM

Section 4-109 of the Local Government Article of the Annotated Code of Maryland requires municipal officials to deposit certain municipal documents with the Department of Legislative Services. Please use this registration form for each resolution that alters the charter or the boundaries of your municipal corporation. Complete a separate form for each resolution, and mail the entire text of the resolution, along with this form to:

Georgianne Carter, Legislative Analyst
Municipal Resolution Reposition
Department of Legislative Services
90 State Circle
Annapolis, MD 21401-1991

Town of Garrett Park
Municipal Corporation

Montgomery
County(ies)

Andrea Fox, Town Manager / Clerk-Treasurer
Name and Title of Official Submitting this Resolution

4600 Waverly Avenue

Address

PO Box 84

Garrett Park, MD 20896

2021-1

Resolution Number

301-933-7488

Phone

3/16/2021

Date of Submitting this Resolution*

3/8/2021

Date Enacted by Legislative Body

3/8/2021

Effective Date**

1) *For an annexation resolution*, state the charter section (e.g., boundary description section, appendix) that is amended _____ OR state the charter section (e.g., general powers section) pursuant to which the property is annexed _____. *(Enclose a copy of the metes and bounds description of the complete boundaries of your municipal corporation that includes the newly annexed property, including the number of acres and the point of beginning coordinates for the newly annexed property.)*

For a charter resolution, state whether the entire charter is repealed and a new charter is adopted _____ OR state the specific section(s) that is added, repealed, renumbered, or repealed and reenacted with amendments Amend 78-28 B.

2) Number of votes cast by the legislative body for 5 and against 0 this resolution.

3) Will this resolution be petitioned to referendum? No

If "yes", date of the referendum election (if known) _____.

** A resolution should be submitted to the Department of Legislative Services 10 days after the effective date of the resolution (§ 4-109(b) of the Local Government Article). Generally, provided that a resolution is not petitioned to referendum, the effective date for a charter resolution is 50 days after enactment (§ 4-304(c) of the Local Government Article), and for an annexation resolution is no earlier than 45 days after enactment (§ 4-407 of the Local Government Article).*

DLS/5-19

Charter Amendment Res. No.: 2021-1
Introduced: February 8, 2021
Adopted: March 8, 2021
Effective Date: March 8, 2021

TOWN OF GARRETT PARK

A RESOLUTION TO AMEND SECTION 78-28 OF THE CHARTER OF THE TOWN OF GARRETT PARK REGARDING THE CONDUCT OF ELECTIONS

This Resolution of the Council of the Town of Garrett Park (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 the Town of Garrett Park (the "Charter"), to amend Section 78-28 to the Charter to allow election methods and procedures to be altered in a state of emergency.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 78-28 be revised to read as follows:

Section 78-28. Regulation and control by council.

A. The council has the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration; nomination; town elections; the content of the ballot; and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud. (Reso. 4-26-71.)

B. Conduct of election in a state of emergency.

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 the town, the council shall be authorized to pass an ordinance to implement such emergency election procedures [for 2020] as may be deemed necessary as a result of the state of emergency, including but not limited to changing the election date and nomination deadlines; 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. (Reso. 2020-1A.)

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 8, 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 Mayor 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 Town Council; and (iii) the effective date of the amendment.

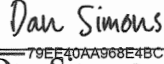
Section 4. AND BE IT FURTHER RESOLVED, that the said Mayor be and is hereby specifically instructed to carry out the provisions of this Resolution. As evidence of compliance herewith, the said Mayor shall cause to be placed in the official files the return receipt of the mailing referred to in Section 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.


DocuSigned by:

34B8B30B5694F7...
Gerilee Bennett 3/15/2021

DocuSigned by:


B4C8B1EBB0A347D...
Stephen Paczkowski 3/12/2021

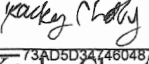
DocuSigned by:

84468A3691E445C...
Phil Schulp 3/15/2021

DocuSigned by:

79EE40AA968E4BC...
Dan Simons 3/11/2021

DocuSigned by:

08A5FA20FFB74B5...
Mario Grande 3/15/2021

ATTEST:

DocuSigned by:

8367ABD4D2914F9...
Andrea Fox 3/11/2021
Town Manager


DocuSigned by:

73AD5D347460487...
Kacky Chantry, Mayor 3/11/2021
Town of Garrett Park

TOWN OF GARRETT PARK

CERTIFICATE OF EFFECT

I, Kacky Chantry, Mayor of the Town of Garrett Park, hereby certify that the attached Charter Amendment (Res. No. 2021-1) has been duly adopted by the Town Council of the Town of Garrett Park; has been registered with the Maryland Department of Legislative Services, and the Governor of Maryland, in accordance with Section 3 of the Resolution; and is effective as of **March 8, 2021**.

DocuSigned by:



3/11/2021

73AD5D347460487...

Kacky Chantry, Mayor
Town of Garrett Park

RESOLUTION NO. CA-1-20

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
GAITHERSBURG, MARYLAND, TO AMEND SECTION 29A OF THE
CITY CHARTER ENTITLED, "WRITE-IN CANDIDATES"

WHEREAS, Section 29A of the Charter of the City of Gaithersburg establishes the allowance and procedure for write-in candidates; and

WHEREAS, the amendment of Section 29A of the Charter of the City of Gaithersburg was duly considered by the Mayor and City Council at a public hearing held on July 6, 2020.

Section 1 – That Section 29A of the Charter of the City of Gaithersburg be, and the same is, amended as follows:

Sec. 29A. Write-in candidates.

Write-in candidates in general or special elections are not permitted, ~~provided a certificate of candidacy is filed at the office of the board of supervisors of elections by no later than the Wednesday prior to the general election. The council shall, by ordinance, establish procedures to implement this section and to determine compliance with this section and sections 4 and 15 of the Charter.~~

Section 2 – BE IT FURTHER RESOLVED that the date of the adoption of this resolution is August 3, 2020, and that the amendment to the Charter of the City of Gaithersburg, as herein adopted, shall be and become effective on September 22, 2020, unless on or before said date a proper petition for referendum of this resolution shall be filed as permitted by law.

Section 3 – BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877, until September 12, 2020, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Gaithersburg not fewer than four (4) times at weekly intervals before September 4, 2020.

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

Section 4 – AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

ADOPTED by the City Council this 3rd day of August, 2020.

DocuSigned by:

Jud Ashman

52E570A5740C472...

JUD ASHMAN, MAYOR and
President of the Council

THIS IS TO CERTIFY, that the foregoing Resolution was adopted by the City Council, in public meeting assembled on the 3rd day of August, 2020. This Resolution will become effective on the 22nd day of September, 2020.

DocuSigned by:

Dennis Enslinger

06E70AB20EA445D...

Dennis Enslinger, Acting City Manager