

Charter Amendment No.: 2024-1

Resolution No.: 4-24-1

Introduced: 4/9/24

Adopted: 5/7/24

Effective Date: 6/26/24

VILLAGE COUNCIL OF SECTION 5 OF THE VILLAGE OF CHEVY CHASE

A RESOLUTION TO AMEND SECTION 701 OF THE CHARTER OF SECTION 5 OF THE VILLAGE OF CHEVY CHASE

This Resolution of the Council of Section 5 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 5 of the Village of Chevy Chase (the "Village Charter"), to amend Section 701 of the Village Charter to permit single source, emergency, and other limited procurements for materials and work without having first invited competitive bids, and to raise the competitive bidding threshold from \$10,000 to \$15,000, or the amount for which publication of notice of procurement is required by Maryland law, whichever is greater.

Section 1. BE IT RESOLVED BY THE VILLAGE COUNCIL, that Section 701 of the Village Charter be amended to read as follows:

Section 701. Contractual Authority

The Council shall not contract for material or work in a sum exceeding [10 Thousand Dollars (\$10,000.00)] Fifteen Thousand Dollars (\$15,000.00), or the amount for which publication of notice of procurement is required by Maryland law, whichever is greater, without having first invited bids for the same, after which the Council may purchase such material or contract for such work or have such work done by employed labor or otherwise as it deems best. No Council member shall sell supplies of any kind in Section 5 or contract in any manner with the Council.

Notwithstanding any other provision of this Charter to the contrary, the Council may contract for material or work without having first invited bids for the same if the contract award serves a public purpose and: (1) there is only one source for the required material or work which can meet the needs of Section 5; (2) the contract is in connection with potential or pending litigation, condemnation, or collective bargaining; (3) a proposed contractor or subcontractor has been specifically identified in a grant accepted by Section 5; (4) a proposed contractor or subcontractor has been selected through a competitive bidding process undertaken by another state, county, or municipality, or cooperatively with Section 5, and substantially similar terms are offered to Section 5; (5) the services are professional in nature, including but not limited to, accounting, architecture, auditing, engineering, legal, or surveying services; or (6) there exists a threat

to public health, safety, or welfare or where delay would seriously injure Section 5 financially or otherwise.

Annotation – On June 11, 2002 Section 701 was amended by deleting “5 Thousand Dollars (\$5,000) and inserting 10 Thousand Dollars (\$10,000)

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 May 7, 2024, which is at least twenty-one (21) days after introduction according to Maryland Code, Local Government Article, Section 4-304, and that the Amendment to the Charter hereby proposed by this enactment shall be and become effective on June 26, 2024, which is at least fifty (50) days after adoption as required by Maryland Code, Local Government Article, Section 4-304, unless a proper petition for a referendum hereon shall be filed as permitted by law, forty (40) days from adoption.

Section 3. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at the Chevy Chase Village Office (where Section 5 holds its meetings), 5906 Connecticut Avenue, Chevy Chase, Maryland 20815 for at least forty (40) days following adoption and a fair summary of this Resolution shall be published in a newspaper of general circulation in the Village one (1) time, and delivering a copy of a fair summary by hand or by mail once to every residence in the Village, which delivery may be accomplished by including a fair summary in a printed newsletter or any other regular municipal publication.

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 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 Charter Amendment: (1) the complete text of this Amendment to the Village Charter as hereby enacted; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for and against the question concerning the Charter Amendment, whether by the Village Council or in a referendum; and (4) the effective date of the Charter Amendment.

Section 5. AND BE IT FURTHER RESOLVED, that the Chair be and is hereby specifically enjoined and instructed to carry out the provisions of Sections 3 and 4. As evidence of compliance herewith, the said Chair shall cause to be placed in the Village files (1) an appropriate certificate of publication of the newspaper in which a fair summary of this Resolution shall have been published and (2) a copy of the newsletter or other notice to residents, and shall further complete and execute the Certificate of Effect attached hereto.



Greg Chernack, Chair

Attest:

I hereby attest that the above Resolution was duly adopted by the Village Council at a regular meeting held on May 7, 2024.



Ashley Kavanaugh, Manager

CHARTER OF INCORPORATION
FOR
SECTION 5 OF THE VILLAGE
OF
CHEVY CHASE
MONTGOMERY COUNTY
MARYLAND

June 2024

CHEVY CHASE, SECTION 5
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CHEVY CHASE, SECTION 5

ARTICLE I.

ADOPTION OF CHARTER AND GENERAL CORPORATE POWERS

Section 101.

The residents of Section 5 of the Village of Chevy Chase, Montgomery County, Maryland, hereby legally established, adopt this Charter for the purpose of establishing a municipal corporation by the name of Section 5 of the Village Chevy Chase with all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court or [of] law or equity, to have and use a common seal and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated.

ARTICLE II.

CORPORATE BOUNDARIES

Section 201.

The corporate limits of Section 5 of the Village of Chevy Chase shall be the subdivision in Montgomery County, Maryland, made by the Chevy Chase Land Company of Montgomery County, and known as Section 5, as per plat recorded among the land records of said Montgomery County. Section 5 is within the Metropolitan District of the Maryland National Capital Park and Planning Commission.

ARTICLE III

DEFINITIONS

Section 301.

The following terms wherever they appear in this Charter shall have the meanings stipulated in this Title:

“Council” shall mean the Village Council of Section 5 of the Village of Chase, the governing body hereinafter created.

“County Council” shall mean the County Council Montgomery County, Maryland, or any succeeding government body of Montgomery County.

“County: shall mean Montgomery County, Maryland.

“Qualified Voter” shall mean any person who is registered to vote in Montgomery County and who appears on the registration lists as a resident of Section 5.

“Section 5 of the Village of Chevy Chase” or “Section 5” shall mean the corporate body herein created.

“Written Notice” shall be deemed to include notice by means of a newsletter or other written material circulated to all residences located within Section 5 whether addressed by specific name or to the location of each such residence.

ARTICLE IV.
THE VILLAGE COUNCIL

Section 401. Number, Selection, Term.

There is hereby established a Village Council of five members to administer the affairs, fulfill the obligations and carry out the responsibilities of Section 5 as herein provided. Council members shall be elected as hereinafter provided to terms of two years, which shall expire on the first Tuesday in May or upon the election and qualification of their successors whichever is later.

Section 402. Qualifications of Council Members.

Council members shall be qualified voters and shall maintain a permanent residence in Section 5 during their term of office.

Section 403. Officers.

The Council shall elect from among its members a Chairman, Vice-Chairman, Treasurer, Secretary and Building Inspector.

- (a) The Chairman shall preside at meetings of the Council, countersign checks and perform such other duties as designated by the Council.
- (b) The Vice-Chairman shall preside at meetings in the Chairman’s absence and perform such other duties as designated by the Council.
- (c) The Treasurer shall be the custodian of all funds which are received to the credit of Section 5 and shall deposit or invest all such funds in federally or Maryland State insured banks, savings and loan associations, obligations of the United States, obligations guaranteed or insured by the United States, or in such other investments as may be permitted by the laws of the State of Maryland. All deposits and investments shall be approved by the Council. The Manager shall disburse funds of Section 5 as instructed by the Council by check duly signed by the manager and countersigned by the Treasurer or the Chairman. The Treasurer and Chairman shall also have the authority to sign and countersign checks. In the absence of the manager and both the Chairman and Treasurer, the Council may authorize other Council members to sign and countersign checks.

- (d) The Secretary shall be the custodian of all records, correspondence and other documents and property of Section 5 and shall keep accurate minutes of all meetings and perform such other duties as designated by the Council.
- (e) The Building Inspector shall be responsible for enforcement of the building and sanitary regulations enacted by the Council and for such other duties as designated by the Council.
- (f) The Council may assign the duties of the Secretary, Treasurer and the Building Inspector to an employee of the Village.

(Amended 6/11/02)

Section 404. Quorum

Three members of the Council shall constitute a quorum for the transaction of business; provided, however, that all actions involving passage of regulations under Section 501, the election of officers, the certifying of tax rates, and the authorization of expenditures of funds in excess of \$500, except for the payment of current bills, shall require the affirmative vote of at least three members of the Council.

Section 405. Meetings.

The Council shall meet regularly on the second Tuesday of each month and at such other times as it may determine necessary. Regular meetings of the Council shall be open to the public and the rules of the Council shall provide that residents of Section 5 shall have a reasonable opportunity to be heard at any regular meeting. The Council may cancel or reschedule a regular meeting. Nothing contained herein shall be construed to prevent the Council from holding executive sessions as provided for in Article 76A of the Annotated Code of Maryland, but no ordinance, rule or regulation shall be finally adopted at any such executive session.

Section 406. Procedures of the Council.

The Council shall follow Robert's Rules of Order as modified by its own rules and order of business. It shall keep minutes of its proceedings and enter therein the yeas and nays and abstentions for final action on any question, resolution or regulation or at any other time if requested by any one member. The minutes shall be open to the public for inspection.

Section 407. Vacancies on the Council

In the event of a vacancy on the Council for any reason, the Council, by majority vote of the remaining members, shall elect a person qualified under Section 402 to fill such vacancy for that seat until the next regular election for that seat.

Section 408. Transition.

(a) The five members of the Citizens Committee of Section 5 of the Village of Chevy Chase holding office under the provisions of Section 5, Chapter 434 of the Acts of the General Assembly of Maryland, 1922, at the time this Charter becomes effective shall constitute the initial membership of the Council established herein and shall continue to hold office for the term for which they were elected to said Citizens Committee and until their successors are elected under the provisions of this Charter.

(b) All funds, records, correspondence, documents and property of said Citizens Committee are hereby transferred to the Council.

(c) All valid actions of said Citizens Committee performed under the provisions of Section 5, Chapter 434 of the Acts of the General Assembly of Maryland, 1922 and not inconsistent with the provisions of the Charter, shall be and are hereby declared to remain in full force and effect unless and until properly modified or rescinded in accordance with provisions of this Charter.

(d) All arrangements for services provided by Montgomery County, Maryland and the State of Maryland to Section 5 and the residents thereof are hereby ratified, adopted and shall remain in full force and effect unless and until properly modified or rescinded in accordance with the provisions of this Charter.

(e) This Charter shall not discharge, impair or release any contract, obligation, duty, liability or penalty existing at the time this Charter becomes effective.

ARTICLE V

GENERAL POWERS

Section 501. General Powers

(a) Ordinances. The Council shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or this Charter as it may deem necessary for the preservation of the Village property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors in the Village.

(b) Express Powers. In addition to, but not in substitution of, the powers which have been, or may hereafter be, granted to it, the Council shall have the express powers set forth in Article 23A, Section 2 of the Maryland Code.

(c) Zoning. State law empowers the Council to pass or adopt any zoning or land use ordinances or regulations.

(d) County Ordinances. In the absence of specific ordinances or regulations to the contrary, the ordinances and regulations of Montgomery County, Maryland, shall be and become the ordinances and regulations of Section 5; provided, however, that the foregoing shall not restrict the authority of the Council to adopt such ordinances and regulations in the manner, and to the extent, set forth herein.

(Amended 9/10/13)

Section 502. Procedures for Enacting Ordinances.

(a) No ordinance shall be passed until the eighth day following the day of the meeting at which it is introduced unless it is deemed to be required for an emergency, in which case it may be passed at the meeting at which it is introduced by a majority vote of those members of Council present and voting; provided, however, that any such emergency resolution shall expire at the end of 60 days.

(b) Before final consideration of any proposed new ordinance, the Council shall make reasonable efforts to provide written notice of the proposed ordinance and to hear the views of the residents at a Council meeting scheduled for that purpose.

(c) All ordinances and regulations, except emergency ordinances and regulations which shall become effective immediately upon adoption or as otherwise provided by their terms, shall become effective 20 days following passage by the Council.

(d) The Council shall provide written notice of all new ordinances upon adoption, but failure to receive such copy by any person shall not invalidate the ordinance nor shall such failure be valid as a defense in any action involving violations of that ordinance.

(e) All ordinances shall be permanently filed by the Secretary and shall be kept available for public inspection and copies shall promptly be furnished to the County Executive and the County Council.

(Amended 6/11/02; 9/10/13)

ARTICLE VI.

ANNUAL MEETING AND ELECTIONS

Section 601. Annual Meeting.

There shall be an Annual Meeting of the residents of Section 5 held on the first Tuesday of May each year. If circumstances as decided by the Council preclude the first Tuesday, the Council will select an alternative date. The meeting shall be scheduled to follow the balloting for Council elections. At least two weeks written notice of the time and place of such meetings shall be given. Such notice shall include (i) a list of candidates for election to the Council as required by Section 602(c); (ii) a proposed budget for the following fiscal year, including estimated expenditures and estimated receipts; and (iii) notice of any proposed change in the tax rate levied by Section 5 upon the owners of real property located within Section 5. The tax rate shall be voted on by voters attending the Annual Meeting. Notwithstanding the above, the Council may, at its discretion, postpone the Annual Meeting for not more than 31 days after the election required by Section 602.

(Amended 611/02; 910/13)

Section 602. Elections

Elections of Council members shall be by secret ballot and shall be held on the date of the Annual Meeting 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 other qualified voter. Nominations must be received in writing 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) If any of the persons voted for shall have an equal number of votes so as to constitute a tie for the vacant seat, and the candidates are unable to agree immediately, by lot or otherwise, as to the means to breaking the tie, the Election Board shall immediately make preparations for another election in which the candidates so tied will be the only candidates. Such election shall be conducted by giving residents an opportunity to vote at a designated time and place to be selected by the Election Board. A run-off election is unnecessary if the two tied candidates have sufficient votes to place them on the Council ahead of any other candidate. (Amendment to Charter)

(f) Those persons elected to the Council shall take office at the conclusion of the Annual Meeting.

(g) The Council is authorized to pass such other regulations governing elections as it deems necessary provided they are not inconsistent with this Section.

(Amended 611/02; 910/13)

Section 603 Recall of Elected Officials (Amendment to Charter)

Any Council member may be dismissed from office by the qualified voters of the town in accordance with the procedure set forth in the following subsections.

(a) A petition seeking the recall of a Council member shall state the reasons for the recall and must be signed by not less than twenty percent of the registered voters of the town. The petition shall be addressed to the Council and filed with the manager.

(b) The manager shall immediately notify the Council about the petition for recall and shall deliver the petition to the Council. The Council shall, within 7 days of the filing of the petition appoint a Board of Elections and the Board shall within 14 days of its appointment ascertain whether the petition is signed by the requisite number of voters, and shall attach to the petition a certificate showing the results of this examination. If the Board finds the petition to be sufficient, the Board shall submit the petition to the Council for action at its next regularly scheduled meeting, if such meeting is scheduled within fifteen days of the date of certification. If the next regularly scheduled Council meeting is scheduled for sixteen or more days from the date of certification, the Manager shall schedule a special Council meeting to be held within fifteen days of the date of certification.

(c) Upon receipt of a properly-certified petition, the Council shall order a special election to be held on a date not more than sixty days from the date of the certification by the Board of Elections; provided, however, that if any town election is scheduled within ninety days of the date of Board's certification, the Council, at its option, may order that the recall vote be included on the general election ballot; provided, further, that if the term of the elected official who is the subject of a recall petition

expires within ninety days of the date of the certification by the Board, no recall election shall be held.

(d) In its discretion, the Council may hold a hearing on the recall petition, such hearing to take place not less than fifteen days before the election.

(e) The recall election ballot shall read: “Shall (name of official) be continued in the office of (title)?” Following this question shall be the words “Yes” and “No” on separate lines, with a space to the right of each, in which the voter shall indicate a vote for or against recall. The question of recall shall be decided by a simple majority of votes cast.

(f) Within not more than twenty-four hours after the closing of the polls, the Board of Elections shall determine the vote cast on the recall question and shall certify the results of the election to the Manager who shall record the results in the minutes of the Council.

(g) Any person whose recall is sought shall continue in office pending certification of the election results by the Board of Elections to the Manager. The official’s term of office shall terminate upon receipt by the Manager of the Board’s certification that the official has been recalled.

(h) No recall petition shall be filed against any person until that person shall have been in office for at least three months, nor shall any recall petition deal with more than one public official.

(i) Any vacancy created by the recall of an elected official shall be filed in the manner prescribed in Section 407 of the Charter.

(Amended 6/11/02)

ARTICLE VII

FINANCES

Section 701. Contractual Authority

The Council shall not contract for material or work in a sum exceeding Fifteen Thousand Dollars (\$15,000.00), or the amount for which publication of notice of procurement is required by Maryland law, whichever is greater without having first invited bids for the same, after which the Council may purchase such material or contract for such work or have such work done by employed labor or other wise as it deems best. No Council member shall sell supplies of any kind in Section 5 or contract in any manner with the Council.

Notwithstanding any other provision of this Charter to the contrary, the Council may contract for material or work without having first invited bids for the same if the contract award serves a public purpose and: (1) there is only one source for the required material or work which can meet the needs of Section 5; (2) the contract is in connection with potential or pending litigation, condemnation, or collective bargaining; (3) a proposed contractor or subcontractor has been specifically identified in a grant accepted by Section 5; (4) a proposed contractor or subcontractor has been selected through a competitive bidding process undertaken by another state, county, or municipality, or cooperatively with Section 5, and substantially similar terms are offered to Section 5; (5) the services are professional in nature, including but not limited to, accounting, architecture, auditing, engineering, legal, or surveying services; or (6) there exists a threat to public health, safety, or welfare or where delay would seriously injure Section 5 financially or otherwise.

(Amended 6/11/02; 6/26/24, No. 2024-1)

Section 702. Borrowing Authority

(a) The Council is authorized and empowered to borrow money on the credit of Section 5 in the manner prescribed in Section 31 to 37 inclusive of Article 23A of the Annotated Code of Maryland (1957 edition, as amended), in amounts not exceeding in total at any time ten percent of the assessed valuation of real property within Section 5.

(b) To effect such borrowing, the Council is authorized and empowered to issue bonds, notes or other certificates of indebtedness in a form designated by the Council. Such bonds, notes or other certificates of indebtedness shall be signed by the Chairman and Treasurer and to the extent permitted by law, shall be free from all state, county and local taxation.

(c) Before the Council shall borrow any money or issue any bonds, notes or certificates of indebtedness, the Council shall give written notice of its proposed action and call a meeting of the qualified voters to consider and ratify the borrowing. The Council shall provide written notice at least 15 days in advance of such a meeting. All qualified voters of Section 5 shall be eligible to vote at such a meeting and those qualified voters of Section 5 unable to attend the meeting for any reason shall be permitted to vote by absentee ballot. The Council shall determine the rules of absentee voting. If the majority voting cast votes in favor of the proposed borrowing or any amendment thereof, then the Council may proceed in accordance with such authorization.

Section 703. Audit.

The financial books and accounts of the Village shall be audited annually in a manner determined by the Council but not contrary to applicable State law.

ARTICLE VIII
ADMINISTRATION

Section 801. Village Manager

A Village Manager may be appointed by the Council whose duties and responsibilities shall be decided by the Council.

Section 802. Authority to Employ Personnel

The Council shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the Village government.

Section 803. Prohibition

No employee in the service of the Village shall continue in such position after election to any public office in the Village.

ARTICLE IX
GENERAL PROVISIONS

Section 901. Oath of Office

As soon as feasible after the election the members of the Council shall take and subscribe to the oath prescribed by Article 1, Section 6 of the Constitution of the State of Maryland.

Section 902. Surety Bonds

The Chairman, Treasurer and such other officers or employees of Section 5 as the Council may require shall give bond in such amount and with such surety as may be required by the Council. The premiums on such bonds shall be paid by the Council.

Section 903. Separability.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of a section so held invalid shall appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

Section 904. Amendment

This Charter may be amended from time to time by the majority vote of the qualified voters pursuant to the provisions of Article 23A of the Annotated Code of the State of Maryland. An amendment to the Charter may be proposed by the Council or by a petition properly signed and submitted to the Council by at least 50 qualified voters. The Council shall provide written notice at least 60 days prior to the vote on a proposed amendment to the Charter. Qualified voters unable to vote in person for any reason may vote by absentee ballot. The Council shall determine rules for absentee voting.

Section 905. Supremacy

No ordinance or regulation of Section 5 shall conflict with the laws of the State of Maryland or Montgomery County.

(Amended 6/11/02)

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:

Georgeanne Carter, Legislative Counsel
Municipal Resolution Re-position
Department of Legislative Services
90 State Circle
Annapolis, MD 21401-1991

Section 5 of the Village of

Montgomery

Municipal Corporation

County(ies)

Ashley Kavanagh, Cheryl Chase

Town Manager

Name and Title of Official Submitting this Resolution

P.O. Box 15140

301-986-5481

Address

Phone

Cheryl Chase, MD
20815

7/2/2024

Date of Submitting this Resolution*

4-24-24

5/7/2024

Resolution Number

Date Enacted by Legislative Body

7/1/2024

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 Section 701.

2) Number of votes cast by the legislative body for 3 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).

SECTION 5 OF THE VILLAGE OF CHEVY CHASE

CERTIFICATE OF EFFECT

I, Greg Chernack, Chair of the Village Council, hereby certify that the attached Charter Amendment (Res. No. 2024-1) has been duly adopted by the Village Council of Section 5 of the Village of Chevy Chase; a fair summary has been posted, published in a newspaper of general circulation, and delivered to each residence in Section 5, all in accordance with Section 3 of the Resolution; a copy has been registered with the Maryland Department of Legislative Services in accordance with Section 4 of the Resolution; and is effective as of **June 26, 2024**.



Greg Chernack, Chair
Village Council
Section 5 of the Village of Chevy Chase

State Department of Assessments and Taxation
Corporate Charter Division
301 W. Preston St., Room 801
Baltimore, MD 21201

Affidavit of Publication

AD # 00083788

STATE OF Maryland
COUNTY OF Montgomery

To Wit:

I hereby certify that on the 29th day of May 2024, before me, the subscriber, Shalique Jones, a notary public, that the matters of facts set forth are true. Bryanah Alexander, who being duly sworn according to law, and oath says that she is an authorized agent of The Washington Times, L.L.C., publisher of

The Washington Times

Circulated daily, in the State of Maryland, County of Montgomery, and that the advertisement, of which the annexed is a true copy, was published in said newspaper 1 time(s) on the following
May 29, 2024

Total Cost: \$175.78

Bryanah Alexander

As witness, my hand and notarial seal.

Notary Public

Shalique Jones

My Commission Expires

March 14, 2029

Date

May 29, 2024

Venue

District of Columbia



NOTICE OF ADOPTION OF RESOLUTION TO AMEND CHARTER

Notice is hereby given that, 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 5 of the Village of Chevy Chase (the "Charter"), the Village Council of Section 5 on May 7, 2024, duly adopted the following Charter amendment:

Charter Amendment Res. No. 2024-1 to amend Section 701 of the Village Charter to permit single source, emergency, and other limited procurements for materials and work without having first invited competitive bids, and to raise the competitive bidding threshold from \$10,000 to \$15,000, or the amount for which publication of notice of procurement is required by Maryland law, whichever is greater.

This amendment shall become and be considered a part of the Charter of Section 5 on June 26, 2024, unless on or before June 17, 2024, there shall be presented to the Village Council, or mailed to it by registered mail, a petition signed by twenty percent (20%) or more of the persons who are qualified to vote in municipal elections of Section 5, requesting the proposed amendment be submitted on referendum to the voters of the Section 5. A complete copy of the Resolution and Charter can be obtained from the Section 5 Village Manager, at P.O. Box 15140, Chevy Chase, Maryland 20815 (manager@chevychasesection5.org).

May 29, 2024

Ad#83788