

Charter Amendment Res. No.: 2025-1
Introduced: 3/19/25
Adopted: 4/16/25
Effective Date: 6/5/25

TOWN COUNCIL OF THE TOWN OF CHEVY CHASE VIEW

A RESOLUTION TO AMEND SECTION 7 OF THE CHARTER OF THE TOWN OF CHEVY CHASE VIEW

This Resolution of the Council of the Town of Chevy Chase View (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 Chevy Chase View (the "Charter"), to amend Section 7 of the Charter to add exceptions to the competitive procurement requirements.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 7 of the Charter is amended to read as follows:

Sec. 7. Expenditure of funds; purposes; competitive bidding; members of the Council prohibited from contracting with Council.

A. All funds that shall be received by Chevy Chase View as its share of the county road tax shall be used exclusively for the maintenance and repair of Chevy Chase View roads.

B. All other funds received by Chevy Chase View may be used directly for any public purpose, including but not limited to construction; maintenance and repair of streets and sidewalks; for street lighting and other public improvements; for clerical and other public services, including the removal of snow, garbage and other refuse, and the appropriate disposition thereof including but not limited to recycling; for enforcing building, sanitation and other regulations for the public health, safety, and welfare, and for the operation of the government of Chevy Chase View as the Council may prescribe in accordance with Sec. 9; provided, however, that the Council may not expend funds for any project or work except after reasonable efforts have been made to obtain the best value for Chevy Chase View, taking into consideration the nature and cost of the project. The Council may make no contract for longer than five years.

C. Notwithstanding any other provision of this Charter to the contrary, the Council may contract for a project or work without undertaking the efforts required by subsection B above 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 Chevy Chase View; (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 Chevy Chase View; (4) a proposed contractor or subcontractor has been selected through a competitive bidding process undertaken by another state, county, or municipality, or cooperatively with Chevy Chase View, and substantially similar terms are offered to Chevy Chase View; (5) the services are professional in nature, including but not limited to, accounting, architecture, auditing, engineering, legal, and surveying services; or (6) there exists a threat to public health, safety, or welfare or where delay would seriously injure Chevy Chase View financially or otherwise.

[C.] D. No member of the Council shall furnish any supplies or services for compensation under any kind of contract with the Council.

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 April 16, 2025, 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 5, 2025, 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 Town Office, 10401 Connecticut Avenue, Suite 103, Kensington, Maryland 20895 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 Town one (1) time, and delivering a copy of a fair summary by hand or by mail once to every residence in the Town, 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 Town 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 Town 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 Town 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.


Ed Tarbutton, Chair

Attest:

I hereby attest that the above Resolution was duly adopted by the Town Council at a regular meeting held on April 16, 2025.


Denise Hitt, Manager

CHEVY CHASE VIEW

CERTIFICATE OF EFFECT

I, Ed Tarbutton, Chair of the Town Council, hereby certify that the attached Charter Amendment (Res. No. 2025-01) has been duly adopted by the Town Council of the Town of Chevy Chase View; a fair summary has been posted at the Town Hall, published in a newspaper of general circulation, and delivered to each residence in the Town, 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 5, 2025.

A handwritten signature in black ink, appearing to read 'Ed Tarbutton', is written over a horizontal line.

Ed Tarbutton, Chair
Town of Chevy Chase View

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