



Resolution 25-25
City Council of New Carrollton, Maryland
Amending The Charter of the City of New Carrollton,
§C-10 "General Powers of Council" to Remove
Provisions Regarding Vetoes
Effective: July 08, 2025

CHARTER AMENDMENT RESOLUTION 25-25

CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON, MARYLAND AMENDING THE CHARTER OF THE CITY OF NEW CARROLLTON, § C-10 "GENERAL POWERS OF COUNCIL", TO REMOVE PROVISIONS REGARDING VETOES, WHICH HAVE BEEN MOVED TO § C-3 OF THE CHARTER; AND TO ADD FINANCIAL OVERSIGHT RESPONSIBILITIES TO THE COUNCIL.

WHEREAS, pursuant to the authority contained in Article XI-E, § 4 of the Constitution of the State of Maryland and Md. Code Ann., Local Gov't Art., § 4-301 et seq., the City Council has the authority to amend the City's Charter, in accordance with the procedures set forth therein; and

WHEREAS, the Council of the City of New Carrollton have held multiple retreats and public meetings to review the Charter; and

WHEREAS, the Council of the City of New Carrollton has determined that provisions regarding vetoes should be removed since those provisions have been moved to § C-3; and

WHEREAS, the Council of the City of New Carrollton has determined that provisions regarding its financial oversight over the budget and expenditures requiring Council approval should be added to the Charter; and

WHEREAS, the Council of the City of New Carrollton deems it to be necessary and appropriate for good government to provide for its financial oversight in the City Charter.

Section 1: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of New Carrollton, Maryland that the Charter of the City of New Carrollton, § C-10 "General powers of Council", be and hereby is repealed, re-enacted and amended to read as follows:

§ C-10 General powers of Council.

A. – B. * * * *

~~[C.]Veto. All ordinances passed by the Council shall be delivered by the City Administrative Officer to the Mayor for his or her approval or veto the day after the meeting at which it was adopted. If the Mayor approves any ordinance, he or she shall sign it. If the Mayor vetoes any ordinance, he or she shall not sign it. The Mayor shall return all ordinances to the City Administrative Officer within five (5) business days after delivery to him or her (including the day of delivery and the day of return) with his or her approval or veto. Any ordinance approved by the Mayor shall be law. An ordinance vetoed by the Mayor shall be returned to the City Administrative Officer with a message stating the reasons for his or her disapproval. Upon receipt of any ordinance disapproved by the Mayor, within two (2) business days the City Administrative Officer shall deliver the ordinance and accompanying message stating the reasons for the Mayor's disapproval to the Chairman of the Council. Any vetoed ordinance shall not become law unless subsequently passed by a favorable vote of four-fifths of the whole Council within thirty-five (35) calendar days from the time of the return of the ordinance. If the Mayor fails to return any ordinance within the aforementioned time period it shall be deemed to be approved by the Mayor and shall become law in the same manner as an ordinance signed by the Mayor.]~~

~~[D.]C. Ordinances: enforcement. The style of all ordinances enacted by the Council shall be "Be it enacted and ordained by the City Council of New Carrollton," and all suits at law for the violation thereof shall be instituted in the name of the City of New Carrollton, against offending parties, and all fines recovered in such suits at law for the breach of any ordinance of the corporation and any fine imposed by any judicial officer for violation of such ordinances shall be collected by said judicial officer and paid over to the Director of Finance and Accounting of the City within one (1) month after collection of the same.~~

~~[E.]D. Ordinances: certified copies. A copy of any ordinance or record of the City of New Carrollton, certified by its City [Administrative Officer] **MANAGER** or City Clerk, under its Seal, to be a true copy and the whole of such ordinance or record, shall be received in all courts as presumptive legal evidence of the facts therein stated.~~

~~[F.]E. Ordinances: penalties.~~

- ~~1. To ensure compliance with the ordinances of the City, the Council shall have the power to provide that a violation shall be a misdemeanor or a municipal infraction, unless the violation is declared to be a felony or misdemeanor by State law. The Council shall have the power to affix penalties of a fine for the violation of an ordinance. The penalty for a misdemeanor shall not exceed the amount of a fine authorized by State law per infraction and/or imprisonment as provided for by State law. A penalty for a municipal infraction shall not exceed that amount authorized by State law per infraction. The Council may provide that a judgment or conviction for an offense shall not bar a subsequent enforcement procedure for a continuation of the same offense subsequent to the first or any succeeding conviction.~~

2. The Council may also provide that violations of any ordinances or resolutions shall be a municipal infraction, unless that violation is declared to be a felony or misdemeanor by the laws of the State or other ordinance. For purposes of this subsection, a municipal infraction is a civil offense. A fine not to exceed that authorized by State law may be imposed for each conviction of a municipal infraction. Each day a violation continues shall constitute a separate offense.

F. FINANCIAL OVERSIGHT. THE COUNCIL SHALL APPROVE THE BUDGET PROPOSED BY THE MAYOR AND COMPTROLLER AND ESTABLISH AN EXPENDITURE THRESHOLD WHICH SHALL REQUIRE COUNCIL APPROVAL AS SPECIFIED IN THE CITY CODE.

Section 2: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this 19th day of May, 2025, and that the amendments to the Charter of the City of New Carrollton, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with the Local Government Article of the Annotated Code of Maryland within 40 days following its passage. A fair summary of this Resolution shall be posted in the City Hall for forty (40) days following its adoption and published in a newspaper having general circulation in the City no fewer than four (4) times at weekly intervals within the forty (40) days following its passage by the City.

Section 3: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Administrative Officer shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of New Carrollton or in a referendum; and (iv) the effective date of the Charter Amendment.

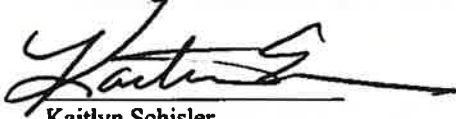
Section 4: BE IT FURTHER RESOLVED that the City Administrative Officer of the City of New Carrollton, Maryland be, and hereby is specifically instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and the City Administrative Officer shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

Section 5: BE IT FURTHER RESOLVED that if any provision of this Charter Resolution or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Charter Resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.


Section 6: BE IT FURTHER RESOLVED that any provision of the Charter inconsistent with the amended provisions is hereby repealed.

INTRODUCED AND ADOPTED by the Council of the City of New Carrollton, Maryland at a Meeting on the 19th day of May, 2025.

ATTEST:

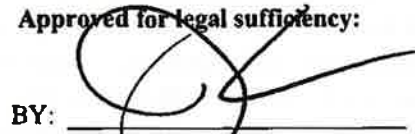

Kaitlyn Schisler
City Clerk

CITY OF NEW CARROLLTON



Briana Urbina, Chair
City Council

Date: 5/19/2025

Approved for legal sufficiency:


BY: Jason DeLoach Esq.
City Attorney

Approved:


Katrina R Dodro, Mayor

Date: 5/19/2025

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Resolution. **CAPS :** Indicate matter added in amendment

[Brackets] : Indicate matter deleted in amendment