

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

City of New Carrollton
Municipal Corporation

Prince George's
County(ies)

Kathlyn Schisler, City Clerk
Name and Title of Official Submitting this Resolution

6016 Princess Garden Pkwy
Address
New Carrollton, MD 20784

301-459-6100
Phone
7-9-25
Date of Submitting this Resolution*

25-26
Resolution Number

5-19-25
Date Enacted by Legislative Body
7-8-25
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 C-20. (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For a charter resolution, state whether the entire charter is repealed and a new charter is adopted _____ OR state the specific section(s) that is added, repealed, renumbered, or repealed and reenacted with amendments C-20.

2) Number of votes cast by the legislative body for 4 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).



Resolution 25-26
City Council of New Carrollton, Maryland
Amending The Charter of the City of New Carrollton,
§C-20 "Recall of Elected Officials"
To Modify Percentage Threshold for Valid Petition
To Recall Elected Officials
Effective: July 08, 2025

CHARTER AMENDMENT RESOLUTION 25-26

CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON, MARYLAND AMENDING THE CHARTER OF THE CITY OF NEW CARROLLTON, § C-20 "RECALL OF ELECTED OFFICIALS" TO MODIFY THE PERCENTAGE THRESHOLD FOR A VALID PETITION TO RECALL ELECTED OFFICIALS; TO REQUIRE SPECIFIC ALLEGATIONS FOR SAID PETITIONS; AND TO ADD FORFEITURE OF OFFICE PROVISIONS, AND MODIFYING THE TITLE OF THE SECTION TO REFLECT SAID PROVISIONS

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 more specificity is needed to the process to recall process, including the threshold requirement for current language in § C-7 applicable to staggered elections should be removed to reflect the current process for elections; and

WHEREAS, THE COUNCIL OF THE CITY OF NEW CARROLLTON HAS DETERMINED THAT THERE ARE CERTAIN INSTANCES WHEN AN ELECTED OFFICIAL SHOULD FORFEIT THEIR OFFICE; AND

WHEREAS, the Council of the City of New Carrollton deems it to be necessary and appropriate for good government and for the good of the City of New Carrollton to amend the City Charter in order to update the Charter as it pertains to elections.

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-20 "Recall of elected officials", be and hereby is repealed, re-enacted and amended to read as follows:

§ C-20. Recall of elected officials AND FORFEITURE OF OFFICE.

A. Application. The holder of any elected office of the City shall be subject to recall for failure to perform the duties of his or her office as such duties are set forth in this Charter.

B. Petition. If a petition signed by not less than TEN ~~[twenty-five]~~ percent (10~~[25]~~%) of the qualified registered voters of the City shall be presented to the Board of Elections setting forth that the officeholder in question has failed to perform the duties of his or her office and specifying the instances of such failure and requesting an election to vote upon the recall of the officeholder, the Board of Elections shall immediately pass upon the legal sufficiency thereof and shall verify that the petition has been signed by the required number of qualified registered voters. Each person signing the petition shall indicate thereon their name and residence address. The Council shall consider the petition as of no effect if it is signed by fewer than TEN ~~[twenty-five]~~ percent (10~~25~~%) of the persons who are qualified to vote in municipal elections. A minor variation in the signature of a petition between his or her signature on a petition and that on the City voter registration records shall not invalidate the signature. The invalidation of one signature on a petition shall not serve to invalidate any others. **THE PETITION SHALL STATE SPECIFICALLY THE JUSTIFICATION FOR RECALL OF THE ELECTED OFFICIAL SHALL BE FOR AT LEAST ONE (1) OF THE FOLLOWING REASONS:**

- (1) FAILURE TO UPHOLD THE OATH OF OFFICE.
- (2) MALFEASANCE IN OFFICE.
- (3) MISFEASANCE IN OFFICE.
- (4) NONFEASANCE IN OFFICE.
- (5) ENGAGING IN ILLEGAL CONDUCT RESULTING IN CONVICTION.
- (6) GROSS ABUSE OF PUBLIC AUTHORITY.
- (6) COERCION OF ANY CITY EMPLOYEE INTO ILLEGAL OR IMPROPER ACTION OR RETALIATORY ACTION AGAINST AN EMPLOYEE FOR DISCLOSING INFORMATION ABOUT ILLEGAL OR IMPROPER ACTIONS IN THE CITY.
- (7) GROSS NEGLIGENCE OR INCOMPETENCE IN THE PERFORMANCE OF PUBLIC DUTIES.

C. Effect of petition. If the Board of Elections shall determine that the petition meets all the requirements of this section, the Council shall, by resolution, specify the day and the hours for a special election to be held, not more than forty-five (45) calendar days from the date said resolution is adopted. The resolution shall specify the exact wording of the question which is to appear on the ballot. The ballot question shall include the name of the officeholder in question and the office which he or she holds and shall request a "yes" or a "no" vote as to his or her removal from that office. The ballot question shall not specify, or in any way refer to or imply, the reasons for which removal is being sought.

D. Results of election. If a majority of the voters in the special election vote in favor of recalling the officeholder in question, upon certification of the results of the election by the Board of Elections to the Council, said office shall thereupon be declared vacant by the Council and shall be filled by the Council in the manner prescribed by this Charter; provided, however, that if the total number of votes cast in the special election does not equal at least twenty percent (20%) of the total number of registered voters, then the results of the election shall be considered to have no effect.

E. AN ELECTED OFFICIAL SHALL FORFEIT THEIR OFFICE IF THE FOLLOWING OCCURS:

(1) LACKS AT ANY TIME DURING THEIR TERM OF OFFICE ANY QUALIFICATION FOR THE OFFICE PRESCRIBED BY THIS CHARTER OR BY LAW.

(2) VIOLATES ANY EXPRESS PROHIBITION OF THIS CHARTER.

(3) IS CONVICTED OF A FELONY.

(4) FAILS TO ATTEND THREE (3) CONSECUTIVE REGULAR MEETINGS OF THE COUNCIL WITHOUT BEING EXCUSED BY A MAJORITY VOTE OF THE COUNCIL PRESENT AT THE BEGINNING OF THE MEETING.

(5) ENGAGES IN MISCONDUCT IN OFFICE.

(6) COMMITS A FINANCIAL OR OTHER SERIOUS MORAL VIOLATION OF THE ETHICS CODE OF A FINANCIAL NATURE AS DETERMINED BY THE BOARD OF ETHICS.

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