

**RESOLUTION 2025-05
CHARTER AMENDMENT**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF SMITHSBURG,
MARYLAND, TO AMEND THE CORPORATE CHARTER §31-46. Same: adoption.**

RESOLUTION of the Mayor and Council of the Town of Smithsburg, Maryland, adopted pursuant to Article XI-E, Section 4, of the Constitution of the State of Maryland, entitled, "MUNICIPAL CORPORATION, PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF CHARTERS", and pursuant to §4-304 entitled "Initiation of charter amendment by legislative body," to amend §31-46 to the Corporate Charter of the Town of Smithsburg as adopted entitled *Same: adoption*.

WHEREAS, the Mayor and Council of the Town of Smithsburg deem it in the best interest of the Town of Smithsburg and the community to amend said Charter.

NOW, THEREFORE, be it **RESOLVED** by the Mayor and Council of the Town of Smithsburg, Maryland, that §31-46 entitled *Same: adoption* be and is hereby repealed in its current form; and be it further

RESOLVED, that §31-46 be and is amended and re-enacted in its entirety to read as follows:

Section 31-46. Same: *Budget* adoption.

Before adopting the budget, the council shall hold a public hearing thereon after two weeks' notice thereof in some newspaper or newspapers having general public circulation. The council may insert new items or may increase or decrease the items of the budget. Where the council shall increase the total proposed expenditure, it shall also increase the total anticipated revenues in an amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote [[of at least a majority of the elected membership of the council]] *in accordance with §§31-8 and 31-9 of this Charter* shall be necessary for adoption.

And be it further **RESOLVED** that the exact text of the proposed Charter Amendment prepared so that each provision is shown as the provision would read when amended or enacted is attached hereto as **Exhibit "A"** and is incorporated herein by reference; and be it further

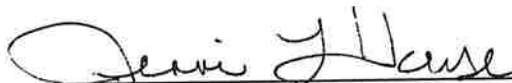
RESOLVED, that pursuant to the *Annotated Code of Maryland, Local Government Article, §4-303(d)* the proposed Amendment specifically repeals and/or is intended to repeal and/or amend any provision in the *Charter for the Town of Smithsburg* that is inconsistent with the Amended provision; and be it is further

RESOLVED, that notice is further given that the Amendment proposed by the Legislative Body of the Town of Smithsburg Maryland, that the Municipal Charter

according to this Amendment, shall be effective and observed as such, in all respects set forth above on the fiftieth (50th) day after passage, as set forth above, unless on or before the fortieth (40th) day after passage there shall be presented to the Mayor and Council (Legislative Body) or mailed to it by registered mail, a petition for referendum in accordance with the applicable provisions of the Local Government Article.

(Note: Double [[’s indicate deletion unless the entire section is repealed. *Italics* indicates additional/new text.)

**WITNESS AND ATTEST
AS TO CORPORATE SEAL
MARYLAND**


Jenni House, Clerk/Treasurer

**MAYOR AND COUNCIL OF THE
TOWN OF SMITHSBURG,**


Donald Souders, Mayor

Date of Introduction: 3/04/2025
Date of Passage: 4/01/2025
Effective Date: 5/21/2025

Record and return to:

Ms. Jenni House, Clerk-Treasurer
Town of Smithsburg
21 W. Water Street
Smithsburg, MD 21783

EXHIBIT "A"

Section 31-46. Same: Budget adoption.

Before adopting the budget, the council shall hold a public hearing thereon after two weeks' notice thereof in some newspaper or newspapers having general public circulation. The council may insert new items or may increase or decrease the items of the budget. Where the council shall increase the total proposed expenditure, it shall also increase the total anticipated revenues in an amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote in accordance with §§31-8 and 31-9 of this Charter shall be necessary for adoption.