

**RESOLUTION 2025-06
CHARTER AMENDMENT**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF SMITHSBURG,
MARYLAND, TO AMEND THE CORPORATE CHARTER §31-8, President and vice-
president of council**

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 §31-8 to the Corporate Charter of the Town of Smithsburg as adopted entitled *President and vice president of council*.

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of the Town of Smithsburg, Maryland, that §31-8 entitled *President and vice president of council* be and is hereby repealed in its current form; and be it further

RESOLVED, that §31-8 be and is amended and re-enacted in its entirety to read as follows:

Section 31-8. President and vice-president of council.

The mayor shall serve as president of the council. The mayor may take part in all discussions. The mayor shall have the right to vote 1.) in case of a tie vote by the council or 2.) when a vacancy on the council, absence of a member and/or abstention(s), with or without cause, of one or more council person(s) results in the inability of a quorum of the council to cast three votes as required in §31-9. The council shall elect a vice-president of the council from among its members. The vice president of the council shall act and serve as mayor in the event of a temporary, long-term, or permanent absence, resignation, or incapacity of the mayor and shall have the authority and responsibility to perform all duties of the mayor as set forth in this Charter until the Mayor's successor is elected in accordance with Section 31-37 of the Charter.

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

MAYOR AND COUNCIL OF THE
TOWN OF SMITHSBURG,


Jenni House, Clerk/Treasurer


Donald Souders, Mayor

Date of Introduction: 05/06/2025
Date of Passage: 05/06/2025
Effective Date: 06/25/2025

Record and return to:

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

EXHIBIT "A"

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