

Resolution No. 07-13  
Charter Amendment No. 08

**A CHARTER AMENDMENT TO AMEND SECTION 303 OF THE TOWN OF CHEVY CHASE CHARTER**

Resolution of the Town Council of the Town of Chevy Chase (the “Town Council”) adopted pursuant to Article XI-E of the Constitution of Maryland, Article 23A, Section 13 of the Annotated Code of Maryland, and the Charter of the Town of Chevy Chase (the “Town Charter”) to amend Section 303 of the Town Charter to delete a provision regarding the right of appeal that is ambiguous and inconsistent with State law so as to avoid confusion and eliminate a conflict with State law.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 303 of the Town Charter be amended to read as follows:

**Section 303. Enforcement of ordinances.**

To assure the observance of the ordinances of the town, the council has the power to provide that violation thereof shall be a misdemeanor and has the power to affix thereto penalties of a fine not exceeding the maximum allowable under state law or imprisonment not to exceed the maximum allowable under state law, or both such fine or imprisonment. [Any person subject to any fine, forfeiture, or penalty by virtue of any ordinance passed under the authority of this charter has the right of appeal within ten (10) days to the Circuit Court for Montgomery County.] The council may provide that, if the violation is of a continuing nature and is persisted in, a conviction for one (1) violation shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding violation.

(NOTE: Underlining indicates language added to the Charter  
**[Brackets]** denote language deleted from the Charter.)

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Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is January 9, 2008 and that the Amendment to the Town Charter hereby proposed by this enactment shall be and become effective on February 28, 2008, unless a proper petition for a referendum hereon shall be filed as permitted by law.


Section 3. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at the Town Hall, 4301 Willow Lane, Chevy Chase, Maryland 20815 until at least February 18, 2008 and a fair summary of this Resolution shall be published in a newspaper of general circulation in the Town of Chevy Chase not less than four (4) times, at weekly intervals before February 18, 2008.

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 Mayor 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 Mayor 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 Mayor shall cause to be placed in the Town files (1) appropriate certificates of publication of the newspaper in which a fair summary of this Resolution shall have

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been published and (2) the return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

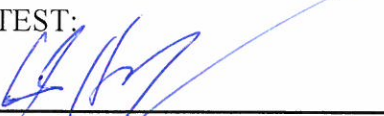
  
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Linna Barnes, Mayor

  
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Rob Enelow, Council Member

  
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Lance Hoffman, Council Member

  
\_\_\_\_\_  
Kathy Strom, Council Member

  
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Mier Wolf, Council Member

ATTEST:  
  
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Lance Hoffman, Secretary