

Resolution No. 07-11
Charter Amendment No. 06

A CHARTER AMENDMENT TO AMEND SECTION 210 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 210 of the Town Charter to substitute the term “adoption” for the term “distribution” so as to start the 30-day period for submitting a referendum petition with the date an ordinance is adopted rather than the date an ordinance is “distributed” and so as to avoid any question regarding whether distribution takes place when an ordinance is : 1) mailed; 2) received; or 3) made available.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 210 of the Town Charter be amended to read as follows:

Section 210. Referendum.

If within thirty (30) days of the [distribution] adoption of any ordinance, ten (10) percent or more of the qualified voters of the town petition the council in writing for a referendum on that ordinance, the council shall call a special meeting by mailing notice of the time, date, place and purpose of said special meeting to those persons eligible to vote in town elections not less than ten (10) days in advance thereof. Only qualified voters in attendance at the special meeting shall be entitled to vote on the referendum. If a majority of the votes cast at that special meeting favor the repeal of the ordinance, then the ordinance shall stand repealed and rescinded.

(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.



Linna Barnes, Mayor



Rob Enelow, Council Member



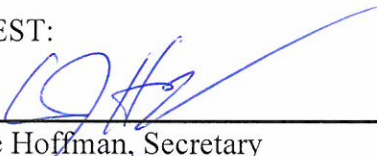
Lance Hoffman, Council Member



Mier Wolf, Council Member

Kathy Strom, Council Member, voted against adoption of this Charter Amendment

ATTEST:



Lance Hoffman, Secretary