

Resolution No. 07-15
Charter Amendment No. 10

A CHARTER AMENDMENT TO DELETE SECTION 305 OF THE TOWN OF CHEVY CHASE CHARTER IN ITS ENTIRETY

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 delete Section 305 of the Town Charter to delete provisions from the Charter that more properly belong in and are found in Section 1-7 of the Town Code.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 305 of the Town Charter is deleted in its entirety.

[Section 305. Exemption from Montgomery County legislation.

(a) Under the authority conferred by article 23A, section 2A(a)(3) of the Annotated Code of Maryland, the town council, effective January 1, 1984, exempts itself from the provisions of all laws of Montgomery County enacted before or after that date and dealing with matters in which the town has heretofore or hereafter is lawfully empowered by state law or its own charter to so act. The only laws of Montgomery County which will henceforth apply within the town are those defined by Maryland law to apply and those which have been expressly adopted or incorporated by reference by the town. This exemption shall not prevent the town from reaching mutual agreement with Montgomery County for the enforcement of specific laws of the county or town by county officials or their agents.

(b) The foregoing exemption shall not repeal or prohibit any town ordinance that specifically adopts or incorporates by reference any county legislation, and such county legislation adopted or incorporated by the town as of the adoption of this ordinance or adopted or incorporated by reference by the town in the future shall have full force and effect to the extent provided in the town ordinance adopting or incorporating the same.]

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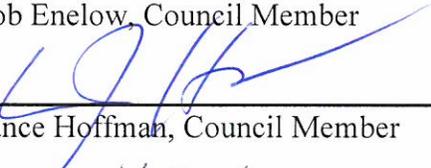
been published and (2) the return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.



Linna Barnes, Mayor



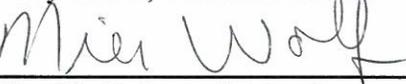
Rob Enelow, Council Member



Lance Hoffman, Council Member



Kathy Strom, Council Member



Mier Wolf, Council Member

ATTEST:



Lance Hoffman, Secretary