

Resolution No. 07-22  
Charter Amendment No. 17

**A CHARTER AMENDMENT TO AMEND SECTION 516 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 516 of the Town Charter to delete the requirement that residents must own real property in the Town as a qualification for voting in a bond referendum election and to correct typographical errors.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 516 of the Town Charter be amended to read as follows:

**Section 516. Borrowing of money.**

(a) The council is hereby authorized and empowered to borrow such sums of money as, in its [option] opinion, may be necessary from time to time for any public purpose of the town whatever, to evidence such borrowing by the issuance of bonds, notes or certificates of indebtedness and, notwithstanding any other statutory limitations, to provide for the levy and collection of all taxes necessary and sufficient for the payment of the principal and interest on said bonds, notes or certificates of indebtedness, as the same respectively mature and are payable or necessary for the payment of such interest and to create a sinking fund for the payment of said bonds, notes, or certificates of indebtedness upon maturity.

(b) No funds shall be borrowed hereunder and no bonds, notes or certificates of indebtedness shall be issued hereunder, if, by such issuance, the total sum or sums of such bonds, notes or certificates of indebtedness, plus the sums of all outstanding and unpaid bonds, notes or certificates of indebtedness issued hereunder prior thereto shall exceed three (3) percentum of the then full cash value of all real property taxable by the council at the full tax rate of the town. In determining whether said debt limitation shall have been reached at any time, the town shall not take into account any of its indebtedness other than that incurred pursuant to the authority hereof, nor shall it take into account any bonds, notes or certificates of indebtedness issued in pursuance of said authority which have been retired at maturity or purchased by it in advance of maturity.

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(c) Such bonds, notes or certificates of indebtedness shall be in such form as may be prescribed by the council, shall be signed by the mayor and the treasurer and shall be free from all state, county and local taxation. Such bonds or other obligations shall be sold or negotiated by the council for the best price obtainable after public advertisement, but shall not be sold or negotiated for less than their par value with accrued interest and the proceeds thereof shall be paid over to the treasurer, who is charged with the custody of any moneys received from the issue or sale of such bonds, notes or certificates of indebtedness, which funds shall be kept as a separate account and shall be used to pay for the cost of the improvements for which they were respectively collected or to liquidate the bonds, notes or certificates of indebtedness issued therefor, as shall be directed by the council. Such bonds, notes or certificates when paid, shall be cancelled and properly kept and filed as a part of the records of the town.

(d) Before the council shall borrow any money or issue [in] any bonds, notes or certificates of indebtedness in excess of one (1) percentum of the then annual value of all real property taxable by the council at the full tax rate of the town, it shall call a special meeting of the resident registered qualified voters [being owners of any interest, joint or several, in real property in the town], such meeting to be held after giving at least ten (10) days~~[ ]~~ written notice thereof to each of such resident registered qualified voters, by depositing said notice in the United States Post Office addressed to the last-known address of such resident registered qualified voters, which notice shall contain a statement of the purpose of such proposed indebtedness and the approximate amount thereof and the rate or rates of interest payable thereon and the time and place of said meeting. At such meeting the question of borrowing such money and the issuance of bonds or other obligations shall be submitted to such resident registered qualified voters~~[, being owners of any interest, joint or several, in real property in said town,]~~ and the voting thereon shall be by ballot. Each ballot shall contain the words "For Bonds" and "Against Bonds". If a majority of the resident registered qualified voters~~[, being owners of any interest, joint or several, in real property in said town, voters]~~ present and voting at such meeting shall vote in favor of the borrowing of such money and the issuance of such bonds, notes or certificates of indebtedness, the council of the town shall proceed in accordance with such authorization; provided, however, that if a majority of resident registered qualified voters~~[, being owners of any interest, joint or several, in real property in said town,]~~ present at such meeting shall vote against the borrowing of money and the issuance of bonds or other obligations, the council of the town shall be authorized, in [their] its discretion, to call another meeting at a date not less than two (2) months thereafter, at which time the same or an alternative proposition for borrowing money and issuing bonds or other obligations may be submitted to such resident registered qualified voters.

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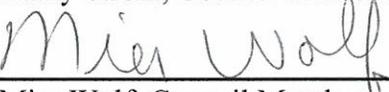
been published and (2) the return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

  
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Linna Barnes, Mayor

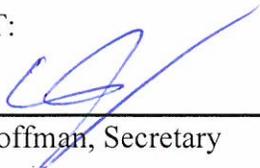
  
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Rob Enelow, Council Member

  
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Lance Hoffman, Council Member

  
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Kathy Strom, Council Member

  
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Mier Wolf, Council Member

ATTEST:

  
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Lance Hoffman, Secretary