

Resolution No. 07-23
Charter Amendment No. 18

**A CHARTER AMENDMENT TO AMEND SECTIONS 703 AND 704 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 Sections 703 and 704 of the Town Charter to change the numbering and lettering system in Sections 703 and 704 so as to use the same numbering and lettering system as is used throughout the remainder of the Charter.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Sections 703 and 704 of the Town Charter be amended to read as follows:

Section 703. Powers of the town as to public ways.

The town may:

- [1.] (a) Establish, regulate, and change from time to time the grade lines, width, and construction materials of any town public way or part thereof, bridges, curbs, and gutters.
- [2.] (b) Grade, lay out, construct, open, extend, and make new town public ways.
- [3.] (c) Grade, straighten, widen, alter, improve, or close up any existing town public way or part thereof.
- [4.] (d) Pave, surface, repave, or resurface any town public way or part thereof.
- [5.] (e) Install, construct, reconstruct, repair, and maintain curbs and/or gutters along any town public way or part thereof.
- [6.] (f) Construct, reconstruct, maintain and repair bridges.
- [7.] (g) Have surveys, plans, specifications, and estimates made for any of the above activities or projects or parts thereof.

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[8.] (h) Acquire property by purchase, lease, or eminent domain incident to the rights-of-way necessary for construction of public ways.

Section 704. Powers of town as to sidewalks.

The town may:

[1.] (a) Establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on town property along any public way or part thereof.

[2.] (b) Grade, lay out, construct, reconstruct, pave, repave, repair, extend, or otherwise alter sidewalks on town property along any public way or part thereof.

[3.] (c) Require that the owners of any property abutting on a sidewalk keep the sidewalk clear of all ice, snow, and other obstructions.

[4.] (d) Require and order the owner of any property abutting on any public way in the town to perform any projects authorized by this section at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order within a reasonable time, the town may do the work, and the expense shall be a lien on the property and shall be collectible in the same manner as are town taxes or by suit at law.

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

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.

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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 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.



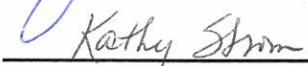
Linna Barnes, Mayor



Rob Enelow, Council Member



Lance Hoffman, Council Member



Kathy Strom, Council Member



Mier Wolf, Council Member

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ATTEST:



Lance Hoffman, Secretary

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