

Resolution No. 07-18  
Charter Amendment No. 13

**A CHARTER AMENDMENT TO AMEND SECTION 503 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 503 of the Town Charter to delete a provision that the property tax rate is fixed by the vote of a majority of the resident registered qualified voters being owners of any interest, joint or several, in the real property in the town present at the annual meeting; to provide that the Town Council may levy a tax on taxable personal property following the same procedure as is followed to levy a tax on real property; to provide that the tax rate(s) is/are fixed by the Town Council after a public hearing; and to provide that the Town shall certify the tax rate to the County director of finance for collection.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that Section 503 of the Town Charter be amended to read as follows:

**Section 503. Public hearing; annual tax levy.**

(a) The [county] town council is hereby authorized, empowered and directed to levy and cause to be collected from the owners of real and/or taxable tangible personal property used in a trade or business in the town, tax on the assessed valuation of the real and/or taxable tangible personal property used in a trade or business within the boundaries of the town [in amount certified to the county council by the town council.] at a rate or rates set by the town council.

(b) On the first Tuesday in May of every year and prior to certifying the tax rate to the county council, the town council shall hold a public meeting on its proposed budget for the forthcoming fiscal year. A copy of the proposed budget as well as a notice of the time and place of the public meeting shall be provided to each house in the town. Each such budget shall show the estimated expenditures during the forthcoming fiscal year, each of the purposes for which said expenditures are authorized and the estimated receipts to be collected from the tax rate(s) proposed to be set and from other sources, and shall also contain a similar report of the receipts and expenditures (including estimates for the balance of the fiscal year) for the then current fiscal year. The town council shall hear all comments and suggestions pertaining to the proposed budget offered at the meeting and shall fix the said tax rate(s)

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on each one hundred dollars (\$100.00) of assessed valuation of real and/or taxable tangible personal property used in a trade or business within the [community to be certified by it] town and shall certify said tax rate(s) to the county [council]director of finance [at a rate fixed by the vote of a majority of the resident registered qualified voters being owners of any interest, joint or several, in the real property in the town present at said meeting].

(c) The tax levied in accordance with this section shall be collected as all other county taxes and the amounts so collected shall be paid over by the county director of finance to the treasurer of the town.

(d) The county council shall also order and have paid to the treasurer of the town the proper share of the county [of the county ] road tax, of receipts from the racing tax fund, of receipts from the taxes on corporations and all other taxes which are or may become payable to incorporated cities, towns and areas and/or special taxing areas.

(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.

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

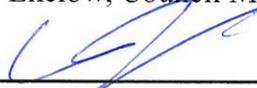
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concerning the Charter Amendment: (1) the complete text of this Amendment to the Town Charter as hereby enacted; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for and against the question concerning the Charter Amendment, whether by the Town Council or in a referendum; and (4) the effective date of the Charter Amendment.

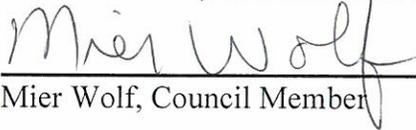
Section 5. AND BE IT FURTHER RESOLVED, that the Mayor be and is hereby specifically enjoined and instructed to carry out the provisions of Sections 3 and 4. As evidence of compliance herewith, the said Mayor shall cause to be placed in the Town files (1) appropriate certificates of publication of the 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.



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Rob Enelow, Council Member



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Lance Hoffman, Council Member

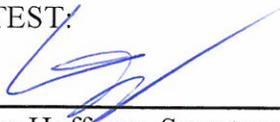


\_\_\_\_\_  
Mier Wolf, Council Member

Linna Barnes, Mayor, voted against the adoption of this Charter Amendment

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

ATTEST:



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Lance Hoffman, Secretary