

CHARTER RESOLUTION
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, TO AMEND
ARTICLE III, "MAYOR AND COUNCIL", §3-6, "VACANCIES", ARTICLE IV,
"VOTING AND ELECTIONS", §C4-4 "OTHER ELECTION OFFICIALS" AND
ARTICLE VIII, "ORDINANCES", §8-2, "PASSAGE", TO CHANGE THE MANNER
IN WHICH NOTICE IS GIVEN OF VACANCIES IN ELECTIVE OFFICE,
APPOINTMENT OF ELECTION OFFICIALS, AND ADOPTION OF ORDINANCES

A Charter Resolution of the Mayor and Council of the City of College Park, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, the Mayor and Council have determined to change the manner in which notice of vacancies in office, appointment of election officials, and adoption of ordinances is given, in order to more efficiently provide information about important events to City residents; and

WHEREAS, the Mayor and Council have determined that certain provisions of Article III, "Mayor and Council", Article IV, "Voting and Elections", and Article VIII, "Ordinances", require amendment in order to provide this notice.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that Article III, "Mayor and Council", §3-6, "Vacancies" be repealed, reenacted and amended to read as follows:

§3-6 Vacancies

A. * * * * *

B. Election or appointment to fill vacancies.

(1) – (2) * * * *

(3) Vacancy in office of Mayor or Council.

(a) Upon it becoming necessary to fill a vacancy in the office of Mayor or Council member pursuant to Subsection B(1) above, the City Clerk shall [place,] POST AT CITY HALL, TO THE OFFICIAL CITY WEBSITE, TO THE CITY-MAINTAINED EMAIL LISTSERV, AND ON THE CITY CABLE CHANNEL, AND PUBLISH IN ANY CITY NEWSLETTER[in a

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Ordinance.

~~newspaper of general circulation in the City~~], an announcement of the vacancy, containing the qualifications of the office, the geographical boundaries of the district(s) to be represented, the procedure to apply for appointment to the vacancy or to be placed on the special election ballot, as appropriate, and the deadline for applications. Applications for appointment shall be forwarded by the Clerk to the Mayor and Council. Applications to be placed on the special election ballot shall be forwarded by the Clerk to the Supervisors of Elections, who shall review the applications for the purpose of determining the qualifications of the candidates. The application shall include a petition in a form satisfactory to the Board of Election Supervisors containing the names, addresses and signatures of not less than 20 registered voters residing in the applicant's district or, in the case of the Mayor, not less than 15 registered voters from each district in the City, indicating support of the applicant's candidacy. The applicant's name and signature may appear and be counted toward the required number on any such petition. Any candidate wishing to withdraw his or her application must do so no later than noon on the 11th calendar day before the election.

(b)– (c) * * * *

C. * * * *

Section 2. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park, Maryland, that Article IV, “Voting and Elections”, §C4-4 “Other election officials” be repealed, reenacted and amended to read as follows:

§C4-4 “Other election officials.

Biennially, after due notice given [~~in the usual and customary methods in use by the City and, at minimum, printed in a newspaper having general circulation in the City,~~] BY POSTING AT CITY HALL, TO THE OFFICIAL CITY WEBSITE, TO THE CITY-MAINTAINED EMAIL LISTSERV, AND ON THE CITY CABLE CHANNEL; AND PUBLICATION IN ANY CITY NEWSLETTER, the Supervisors of Elections shall appoint such election officials as they deem necessary, who shall be compensated by the Mayor and Council, and conduct an election by ballot for the election of these officers provided for in this Charter. The Judges of Election shall prepare ballots containing the names of those persons eligible to become candidates for office and designating the office they seek and, except as otherwise provided herein in this Charter and in Chapter 34 of the Code, conduct elections under this Charter as nearly as practicable as

is now, or hereafter may be, provide for in the election of officers for Prince George's County under the general election laws.

Section 3. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park, Maryland, that Article VIII, “Ordinances”, §C8-2 “Passage” be repealed, reenacted and amended to read as follows:

§C8-2 Passage.

A. A proposed ordinance may be introduced by any member of the City Council at any regular or special meeting of the Council. Prior to formal introduction of the proposed ordinance, the City Council may, at the request of any two Council members, schedule an informational meeting to present information to the public as to the proposed measure and to receive responses back from the public, at which meeting a presentation will ordinarily be made by the Mayor and Council or city staff. Such informational meeting shall be advertised in advance in such manner as the Mayor and Council deem advisable under the circumstances. Following the informational meeting, the Council may, in its discretion, recommit the proposed ordinance for discussion to a work session. Upon formal introduction of the proposed ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall [~~publish~~] POST AT CITY HALL, TO THE OFFICIAL CITY WEBSITE, TO THE CITY-MAINTAINED EMAIL LISTSERV, AND ON THE CITY CABLE CHANNEL, AND PUBLISH IN ANY CITY NEWSLETTER, the proposed ordinance or a fair summary thereof in a newspaper having general circulation in the City of College Park and, if time permits, in the City newsletter, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing shall follow the publication by at least seven days, may be held separately or in connection with a

regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall POST AT CITY HALL, TO THE OFFICIAL CITY WEBSITE, TO THE CITY-MAINTAINED EMAIL LISTSERV, AND ON THE CITY CABLE CHANNEL, AND PUBLISH IN ANY CITY NEWSLETTER, ~~[have]~~ a fair summary of the ordinance and notice of its adoption ~~[published in a newspaper having a general circulation in the City of College Park and published in the City newsletter and available at the city's offices.]~~ Except as otherwise provided, every ordinance adopted shall become effective at the expiration of twenty (20) days after its adoption or at any later date specified therein. However, with respect to the limited zoning-type ordinances that may be passed by the Mayor and City Council pursuant to the authority of §25-303 OF THE LAND USE ARTICLE ~~[8-112.1 of Article 28]~~ of the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland shall control as to the effective date of the proposed ordinance.

B. * * * * *

Section 4. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Charter Resolution, the City Clerk shall publish this proposed Charter Resolution or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing is hereby set for **7:30 p.m.** on the **12th** day of **July, 2016.** All persons interested shall have an opportunity to be heard.

Section 5. BE IT FURTHER RESOLVED that this Charter Resolution is adopted this _____ day of _____, 2016, and that the amendment to the Charter

of the City of College Park, hereby proposed by this enactment, shall be and become effective upon the fiftieth (50th) day after its passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its passage. A complete and exact copy of this Charter Resolution shall be posted in the City offices located at 4500 Knox Road, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

Section 6. BE IT FURTHER RESOLVED that, within ten (10) days after the Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

Section 7. BE IT FURTHER RESOLVED that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 4 and 5 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) return receipts of the mailing referred to in Section 6 and shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____ 2016.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____ 2016.

EFFECTIVE the _____ day of _____, 2016.

ATTEST:

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC, City Clerk

By _____
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney