

**TOWN OF NORTH BRENTWOOD**

**CHARTER AMENDMENT RESOLUTION NO. 01-2022**

**Introduced by:** Councilmember \_\_\_\_\_  
**Seconded by:** Councilmember \_\_\_\_\_  
**Date of Introduction & Adoption:** September \_\_, 2022

**A CHARTER AMENDMENT RESOLUTION OF THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD AMENDING SECTIONS 401 (NUMBER, SELECTION, TERM), 501 (SELECTION AND TERM), AND 709 (ELECTION OF MAYOR AND COUNCILMEMBERS) TO REMOVE REFERENCES TO APPOINTMENT OF THREE BOARD MEMBERS BY COUNCILMANIC WARDS, AND TO CORRECT OR CLARIFY WHICH MAYORAL OR COUNCILMANIC SEATS ARE FILLED IN CERTAIN ODD OR EVEN NUMBERED YEARS; AND GENERALLY RELATING TO TOWN ELECTIONS AND THE ELECTED OFFICIALS**

**WHEREAS**, the Council is authorized by Article XI-E, § 4 of the Constitution of the State of Maryland and Subtitle 3 of Title 4 of the LG Article of the Annotated Code of Maryland, to amend its Charter by a resolution of the legislative body of the municipal corporation; and

**WHEREAS**, in addition to the other procedural charter adoption provisions found in State law, the General Assembly of Maryland passed HB 615 during the 2018 session effective July 1, 2018, requiring the legislative body of a municipality to hold a public hearing and give at least 21-days’ notice by posting the notice in a public place before adopting a resolution initiated by the legislative body that proposes an amendment to the municipal charter; and

**WHEREAS**, the Council finds that the elected officials currently serving the Town are elected to 4-year terms and their current terms will end in May of the given year as follows: (i) Petrella A. Robinson, *Mayor*, 2023, (ii) Charles F. Wiley, *Ward 1*, 2024, (iii) Aaron D. Baynes, *Ward 2*, 2023, and (iv) Evan K. Dame, *Ward 3*, 2024; and

**WHEREAS**, the Council finds that Section 702 of the Town Charter references “three wards” regarding appointments to the Board of Supervisors of Elections and the councilmen are often referred to by Ward, but the ward boundaries are not described elsewhere in the Charter as said Ward descriptions were repealed years ago; and

**WHEREAS**, the Council finds that it is in the best interest of the Town to amend the Town Charter to remove the antiquated reference to Ward boundaries and correct or clarify which councilmanic seats are filled in certain odd or even numbered years; and

\_\_\_\_\_  
CAPITALS : Indicate matter added to existing law  
[[Brackets]] : Indicate matter deleted from existing law  
Asterisks \* \* \* : Indicate that text is retained from existing law but omitted herein.

**SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD** on this \_\_\_\_ day of October 2022 that Sections 401 (Number, Selection, Term), and 709 (Election of Mayor and Councilmembers) of the Charter of The Town of North Brentwood shall be and are hereby amended and readopted to read as follows:

\* \* \*

## **ARTICLE IV The Council**

### Section 401. Number, Selection, Term.

(a) All legislative powers of the Town are vested in a Council consisting of three Councilmembers who shall be elected as hereinafter provided and who shall hold office for a term of four years, or until their successors take office. As provided in Section 709 of this Charter, two Councilmembers (Council seats ~~[[2]]~~ 1 and 3) shall be elected during every other even numbered year and one Councilmember (Council seat ~~[[4]]~~ 2) shall be elected during every other odd numbered year. The regular term of the Councilmembers shall expire on the 3rd Monday following the election of their successors.

(b) Councilmembers holding office at the time Charter Amendment Resolution ~~[[2018-1]]~~ 01-2022 becomes effective shall continue to hold office for the term for which they were elected or until their successors take office under the provisions of this Charter.

\* \* \*

## **ARTICLE V The Mayor**

### Section 501. Selection and Term.

The Mayor shall be selected as hereinafter provided and shall hold office for a term of four years or until a successor is elected and qualified. The Mayor shall be elected during every other odd numbered year. The newly elected mayor shall take office on the third Monday of May following the election.

\* \* \*

## **ARTICLE VII Registration, Nomination, and Elections**

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Section 702. Board of Supervisors of Elections.

(a) There shall be a Board of Supervisors of Elections consisting of three members, each representing ~~[[one of the three Wards]]~~ THE TOWN AT LARGE, who shall be recommended by ~~[[the]]~~ EACH Councilmember ~~[[of each respective ward]]~~ and appointed by the Mayor on or before the first Monday of February of each year. The terms of members of the Board of Supervisors of Elections shall begin on the first Monday in February in the year in which they are appointed and shall run for two (2) years. The Board shall appoint one of its members as Chairperson. Vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term. Members of the Board of Elections may be reappointed by the Mayor.

\* \* \*

Section 709. Election of Mayor and Councilmembers.

~~[[a]]~~ On the first Monday of May in the year ~~[[2019]]~~ 2023 and every fourth year thereafter, the qualified voters of the Town shall elect a Mayor and one person to serve as Councilmember (Council seat ~~[[+]]~~ WARD 2). On the first Monday of May in the year ~~[[2020]]~~ 2024 and every fourth year thereafter, the qualified voters of the Town shall elect two persons to serve as Councilmembers (Council seats WARD 1 and ~~[[2]]~~ 3).

\* \* \*

**SECTION 2. AND BE IT FURTHER RESOLVED** that this Charter Amendment Resolution is adopted on the aforementioned date and that upon adoption by the Council of the Town of North Brentwood a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Hall for a period of at least forty (40) days following the date of its adoption. Additionally, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in the Town of North Brentwood not less than four (4) times at weekly intervals within the forty (40) days following the adoption of this Charter Amendment Resolution.

**SECTION 3. AND BE IT FURTHER RESOLVED** that the Amendment initiated in this Charter Amendment Resolution shall not be subject to veto or final approval by the Mayor unless there is a tie vote, but shall take effect and shall become and be considered the Charter of the Town of North Brentwood, upon the fiftieth day after being so adopted or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Council of the Town of North Brentwood or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

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**SECTION 4. AND BE IT FURTHER RESOLVED** that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk shall send separately, by certified mail, return receipt requested, to the Department of Legislative Services within 10 days after the charter resolution becomes effective, the following information concerning the Charter Amendment: (i) the complete text of this Charter Amendment Resolution; (ii) the date of the referendum election, if any held with respect thereto; (iii) the number of votes cast for and against this Charter Amendment Resolution by the Council of the Town of North Brentwood or a referendum election; and (iv) the effective date of the Charter Amendment.

**SECTION 5. AND BE IT FURTHER RESOLVED** that the Town Clerk of the Town of North Brentwood is specifically instructed to carry out the provisions of Sections 2, 3 and 4 hereof, as evidence of compliance herewith, the Town Clerk shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Council Meeting in which it is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

**THIS CHARTER AMENDMENT RESOLUTION IS INTRODUCED AND ADOPTED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

ATTEST:

TOWN COUNCIL FOR TOWN OF  
NORTH BRENTWOOD

\_\_\_\_\_  
Carl Jones  
Town Clerk

\_\_\_\_\_  
Charles Wiley  
Councilman

\_\_\_\_\_  
Aaron Baynes  
Councilman

\_\_\_\_\_  
Evan Dame  
Councilman

\_\_\_\_\_  
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**CERTIFICATE OF EFFECT**

**I, HEREBY CERTIFY THAT THE FOREGOING CHARTER AMENDMENT RESOLUTION OF THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD DESIGNATED CHARTER AMENDMENT RESOLUTION NO. 01-2022, WAS DULY INTRODUCED, READ, AND WAS ADOPTED BY THE COUNCIL AT A DULY ANNOUNCED PUBLIC MEETING AND THEREAFTER POSTED AND ADVERTISED FOR FOUR SUCCESSIVE WEEKS, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF NORTH BRENTWOOD.**

ATTEST:

\_\_\_\_\_  
Carl Jones, Town Clerk  
Town of North Brentwood

DATE OF PUBLIC NOTICE \_\_\_\_\_  
DATE OF INTRODUCTION/PASSED \_\_\_\_\_  
40-DAY POSTING END DATE: \_\_\_\_\_  
FAIR SUMMARY NEWSPAPER \_\_\_\_\_  
WEEKLY PUBLICATION DATES (x 4): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
EFFECTIVE (50<sup>TH</sup> DAY) DATE: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
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