

COUNCIL OF THE TOWN OF LEONARDTOWN

CHARTER AMENDMENT NO. CA—04-05

Introduced by Mayor Norris

A RESOLUTION concerning

CHARTER AMENDMENT – Limitations on Expenditures

FOR the purpose of amending the Charter of the Town of Leonardtown to prohibit the making of expenditures and contracts, and incurring liabilities, in excess of amounts available in a certain fund; and generally relating to limitations on the power of the Town to make certain expenditures and incur certain obligations.

BY repealing and reenacting, with amendments
Charter of the Town of Leonardtown
ARTICLE 7, Finance
Section 708

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN, That Section 708 of the Charter of the Town of Leonardtown is repealed and reenacted, with amendments, to read as follows

ARTICLE 7 – FINANCE

Section 708. Over expenditures forbidden

No officer or employee during any budget year may expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amounts available for expenditure in the fund to which the expenditure, contract or liability is to be charged. Any contract, verbal or written, made in violation of this charter is null and void. Nothing in this section contained, however, prevents the making of contracts or expenditure of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which the contract is made, when the contract is permitted by law.

SECTION 2: AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN that if any provision of this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution are hereby declared to be severable.

SECTION 3: AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN that the date of adoption of this Resolution is November 8, 2004, and the amendment to the Charter of the Town of Leonardtown, hereby enacted shall become effective on December 28, 2004, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the Town Hall until December 18, 2004, and provided further that a copy of the title of this Resolution shall be published in "The Enterprise", a newspaper of general circulation in the Town of Leonardtown, or in any other newspaper of such general circulation, once in each of the weeks beginning November 15, 2004, November 22, 2004, November 29, 2004, and December 6, 2004.

SECTION 4: AND BE IT FURTHER RESOLVED BY THE COUNCIL OF TOWN OF LEONARDTOWN that the Town Secretary is hereby specifically commanded to carry out the provisions of Section 4 of this Resolution, and, as evidence of such compliance, the Town Secretary shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, the Mayor shall declare the Charter hereby enacted to be effective on the date provided by law.

SECTION 5: AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Town Secretary shall send to the Department of Legislative Services of Maryland a copy of this Resolution showing the number of members of the Council voting for and against it and a report on the votes cast for or against the Charter hereby enacted at any referendum thereon and the date of such referendum.

The above Amendment to the Leonardtown Town Charter was enacted by the foregoing Resolution which was passed at a regular public meeting of the Council of the Town of Leonardtown on November 8, 2004, 4 members of the Town Council voting in the affirmative, 0 members of the Town Council voting in the negative, 0 members of the Town Council abstaining and 1 members of the Town council absent and the said Resolution becomes effective in accordance with law on the 28th day of December, 2004.

ADOPTED this 8th day of November, 2004.

SEAL:

COUNCIL OF THE TOWN
OF LEONARDTOWN

Walter R. Gillette
Walter R. Gillette, Vice President

absent
Charles R. Faunce, Councilmember

Leslie E. Roberts
Leslie E. Roberts, Councilmember

J. Maguire Mattingly, III
J. Maguire Mattingly, III, Councilmember

Walter Wise
Walter Wise, Councilmember

ATTEST:

Laschelle E. Miller
Laschelle E. Miller, Town Administrator

Date 11/8/04