

# COUNCIL OF THE TOWN OF LEONARDTOWN

## CHARTER AMENDMENT NO. CA—04-01

Introduced by Mayor Norris

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**A RESOLUTION concerning**

### CHARTER AMENDMENT – Town Treasurer

**FOR** the purpose of amending the Charter of the Town of Leonardtown to alter the title of the Town Treasurer; and generally relating to the Town Treasurer.

**BY** repealing and reenacting, with amendments  
Charter of the Town of Leonardtown  
ARTICLE 7, Finance  
Sections 701, 702, 710, 713, 715 and 721

**SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN,** That Sections 701, 702, 710, 713, 715 and 721 of the Charter of the Town of Leonardtown are repealed and reenacted, with amendments, to read as follows

### ARTICLE 7 – FINANCE

#### Section 701. Treasurer

There shall be a treasurer appointed by the mayor with the approval of the council. The treasurer shall serve at the pleasure of the mayor. The compensation of the treasurer shall be determined by the council. The treasurer shall be the chief financial officer of the town.

The financial powers of the town, except as otherwise provided by this charter, shall be exercised by the treasurer under the direct supervision of the mayor.

#### Section 702. Same – power and duties.

Under the supervision of the mayor, the treasurer shall have authority and shall be required to:

(1) Prepare at the direction of the mayor an annual budget to be submitted by the mayor to the council.

(2) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded, diverted, misapplied or expended other than as budgeted.

(3) Maintain a general accounting system for the town in such form as the council may require, not contrary to State law.

(4) Submit at the end of each fiscal year, and at such other times as the council may require, a complete financial report to the council through the mayor.

(5) Ascertain that all taxable property within the town is assessed for taxation.

(6) Collect all taxes, special assessments, license fees, liens, and all other revenues (including utility revenues) of the town, and all other revenues for whose collection the town is responsible, and receive any funds receivable by the town.

(7) Have custody of all public monies belonging to or under the control of the town, except as to funds in the control of any set of trustees, and have custody of all bonds and notes of the town.

(8) Do such other things in relation to the fiscal or financial affairs of the town as the mayor or the council may require or as may be required elsewhere in this charter.

#### **Section 710. Checks**

All checks issued in payment of salaries or other municipal obligations shall be issued and signed by the treasurer and shall be countersigned by the mayor or town administrator.

#### **Section 713. Notice of tax levy**

Immediately after the levy is made by the council in each year, the treasurer shall give notice of the making of the levy by posting a notice thereof in some public place or places in the town. The treasurer shall make out and mail or deliver in person to each taxpayer or agent at the last known address a bill or account of the taxes due. This bill or account shall contain a statement of the amount of real and personal property with which the taxpayer is assessed, the rate of taxation, the amount of taxes due, and the date on which the taxes will bear interest. Failure to give or receive any notice required by this section shall not relieve any taxpayer of the responsibility to pay on the dates established by this charter all taxes levied.

#### **Section 715. Sale of tax-delinquent property**

A list of all property on which the town taxes have not been paid and which are in arrears as provided by this charter shall be turned over by the treasurer to the official of the county responsible for the sale of tax-delinquent property as provided in State law. All property listed thereon, if necessary, shall be sold for taxes by this county official, in the manner prescribed by State law. By an affirmative vote of the council the town may from time to time conduct its own tax sales.

#### **Section 721. Purchasing and contracts**

All purchases and contracts for the town government shall be authorized by the Town

Administrator. The council may provide by ordinance or resolution for rules and regulations regarding the use of competitive bidding and contracts for all town purchases and contracts. The treasurer shall advertise for sealed bids, in such manner as may be prescribed by the council, for all such written contracts. The written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders being considered. All such written contracts shall be approved by the council before becoming effective. The treasurer may reject all bids and readvertise. The town at any time in its discretion may employ its own forces for the construction or reconstruction of public improvements without advertising for (or readvertising for) or receiving bids. All written contracts may be protected by such bonds, penalties, and conditions as the town may require.

**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 8<sup>th</sup> 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