

COUNCIL OF THE TOWN OF LEONARDTOWN

CHARTER AMENDMENT NO. CA—04-04

Introduced by Mayor Norris

A RESOLUTION concerning

CHARTER AMENDMENT – Council Member and Mayor Terms of Office

FOR the purpose of amending the Charter of the Town of Leonardtown to alter the duration of the terms of office of members of the Town Council and the Mayor; eliminating certain obsolete provisions; and generally relating to the terms of office of members of the Town Council and the Mayor.

BY repealing and reenacting, with amendments
Charter of the Town of Leonardtown
ARTICLE 2, The Council
Section 201

BY repealing and reenacting, with amendments
Charter of the Town of Leonardtown
ARTICLE 3, The Mayor
Section 301

BY repealing and reenacting, with amendments
Charter of the Town of Leonardtown
ARTICLE 6, Municipal Elections
Section 609

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN, That Sections 201, 301 and 609 of the Charter of the Town of Leonardtown are repealed and reenacted, with amendments, to read as follows:

ARTICLE 2 – THE COUNCIL

Section 201. Number of councilpersons; selection; term

To the extent permitted by the Constitution and laws of Maryland the legislative powers of the town are vested in a council consisting of five councilpersons who shall be elected as hereinafter provided and who shall hold office for a term of two years, except that beginning with the elections in May, 2005, and May, 2006, councilpersons shall be elected for terms as provided in section C-609. The regular term of councilpersons shall expire on the second Monday in May following the election of their successors.

ARTICLE 3 – THE MAYOR

Section 301. Selection and term

The mayor shall be elected as hereinafter provided and shall hold office for a term of two years or until a successor is elected and qualified, except that beginning with the election in May, 2005, the mayor shall be elected for a term as provided in section C-609. The newly elected mayor shall take office on the second Monday of May following the mayoral election.

ARTICLE 9 – MUNICIPAL ELECTIONS

Section 609. Election of mayor and councilmembers

On the first Tuesday in May , the mayor and councilmembers shall be elected as follows:

- a. For the election in 2005, the voters shall elect a mayor to serve for a term of three years, and for the election in 2008 and every four years thereafter, the voters shall elect a mayor to serve for a term of four years.
- b. For the election in 2005, the voters shall elect two councilmembers to serve for terms of three years, and for the election in 2008 and every four years thereafter, the voters shall elect two councilmembers to serve for terms of four years.
- c. For the election in 2006 and every four years thereafter, the voters shall elect three councilmembers to serve for terms of four years.

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 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