

TOWN OF ROCK HALL, MARYLAND

CHARTER AMENDMENT RESOLUTION No. 2024-01

A CHARTER AMENDMENT RESOLUTION OF THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §§ 4-302(1) and 4-304 of the Local Government Article of the Maryland Annotated Code to amend the Municipal Charter of the Town of Rock Hall (as published in Chapter 125, Volume 7, Compilation of Municipal Charters) for the purposes of providing that Town elections for the Mayor and Councilpersons shall be held on the first Saturday in March beginning in 2025 and continuing thereafter and adjusting other dates related to Town elections for consistency therewith, and providing that, beginning with those Councilpersons elected in 2025 and continuing thereafter that the Mayor and Councilpersons shall not receive a salary or other compensation but may be entitled to reimbursement for reasonable expenses incurred while traveling on Town business, subject to certain conditions; providing that the title of this Charter Amendment Resolution shall be deemed a fair summary; and generally relating to elections and the compensation of elected officials in the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Article XI-E, § 3 of the Constitution of Maryland, the Council of the Town of Rock Hall (the "Council"), as the legislative body of the Town of Rock Hall (the "Town"), is authorized and empowered to amend the Municipal Charter of the Town of Rock Hall (the "Charter"); and

WHEREAS, pursuant to Article XI-E, § 4 of the Constitution of Maryland, an amendment to the Charter shall be proposed either by a resolution of the Council or by a petition of the registered voters of the Town and filed with the Council; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't §§ 4-302(1) and 4-304, the Council may initiate a proposed amendment or amendments to the Charter by a resolution which, except as otherwise specified in the subtitle, is ordained or adopted as in the usual course of considering resolutions in the Town government, by a majority of the Council, and the same shall be subject to the right of referendum; and

WHEREAS, the Council is desirous of amending the Charter for the purposes of providing that Town elections for the Mayor and Councilperson shall be held on the first Saturday in March beginning in 2025 and continuing thereafter and adjusting other dates related to Town elections for consistency therewith, and providing that, beginning with those Councilpersons elected in 2025 and continuing thereafter that the Mayor and Councilpersons shall not receive a salary or other compensation but may be entitled to reimbursement for reasonable expenses incurred while traveling on Town business, subject to certain conditions; and

WHEREAS, the Council, to provide for the reasonable and appropriate representation of the citizens of the Town and to provide for the better management and governance of the Town

and its affairs, deems it necessary and appropriate for the good government and citizens of the Town to amend certain provisions of the Charter as set forth herein.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that, pursuant to the authority of Article XI-E of the Constitution of Maryland and §§ 4-302(1) and 4-304 of the Local Government Article of the Maryland Annotated Code, the Municipal Charter of the Town of Rock Hall (as published in Chapter 125, Volume 7, Compilation of Municipal Charters) be, and the same is hereby, amended:

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 301 of the Charter be and it is hereby amended as follows:

Section 301 – Number of Councilpersons; Selection; Term

All legislative powers of the town are vested in a Council consisting of five members, including the Mayor, all of whom shall be elected as hereinafter provided and who, subject to the provisions of Section 609 of this Charter, shall hold office for a term of four years or until a successor takes office. Councilpersons holding office at the time this Charter takes effect shall continue to hold office for the term for which they were elected and until the succeeding Council takes office under the provisions of this Charter. The term “Council,” as used in this Charter, shall mean and refer to the Mayor and the four Councilpersons and is synonymous with the term “the Mayor and Council.” The terms “Councilmember” and “Councilperson,” as used in this Charter, are synonymous and refer to the members of the Council other than the Mayor.

SECTION 2. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 305 of the Charter be and it is hereby amended as follows:

Section 305 – Compensation of Councilpersons

((Each Councilmember shall receive an annual salary the amount of which shall be specified from time to time by an ordinance passed by the Council in the regular course of its business. The salary for each Councilmember shall be equal except that the salary specified at the time any Councilmember takes office shall not be changed during the period for which the Councilmember was elected.)) No Councilmember elected on or after the first Saturday in March 2025 shall receive a salary or other compensation but may be entitled to reimbursement for reasonable expenses incurred while traveling on town business pursuant to any town policy in effect at the time such Councilmember’s term commenced.

SECTION 3. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 401 of the Charter be and it is hereby amended as follows:

Section 401 – Selection and Term

((The)) Subject to the provisions of Section 609 of this Chapter, the Mayor shall hold office for a term of four years or until his successor is elected and qualified. The newly elected Mayor

shall take office on the first Monday following his election. The Mayor holding office at the time this Charter becomes effective shall continue to hold office for the term for which he was elected and until his successor takes office under the provisions of this Charter.

SECTION 4. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 403 of the Charter be and it is hereby amended as follows:

Section 403 – Compensation for the Mayor

((The Mayor shall receive an annual salary as set from time to time by an ordinance passed by the Council in the regular course of business; provided, however, that no change shall be made in the salary for any Mayor during the term for which he was elected. The ordinance making any change in the salary paid to the Mayor, either by way of increase or decrease, shall be finally adopted prior to the municipal election to elect the next succeeding Mayor and shall take effect only as to the next succeeding Mayor.)) No Mayor elected on or after the first Saturday in March 2025 shall receive a salary or other compensation but may be entitled to reimbursement for reasonable expenses incurred while traveling on town business pursuant to any town policy in effect at the time such Mayor's term commenced.

SECTION 5. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 601 of the Charter be and it is hereby amended as follows:

Section 601 – Membership of the Board

There shall be a Board of Supervisors of Elections consisting of three members who shall be appointed by the Mayor with the approval of the Council on or before the first Monday in ((March)) January in every second odd-numbered year; provided, however, that if the first Monday in January falls on New Year's Day, then Board of Supervisors of Elections shall be appointed on or before the first Tuesday in January. The term of members of the Board of Supervisors of Elections shall begin on the first Monday or Tuesday, as the case may be, in ((March)) January in the year in which they are appointed and shall run for four years. Members of the Board of Supervisors of Elections shall be qualified voters of the town and shall not hold or be candidates for any elective office during their term of office. The Board shall appoint one of its members as Chairman. Vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term. The compensation of the members of the Board shall be determined by the Council.

SECTION 6. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 605 of the Charter be and it is hereby amended as follows:

Section 605 – Voter Registration

There shall be a registration ongoing, until the first Monday in ((April)) February in every odd-numbered year, of qualified persons not registered to vote. If necessary for the performance of registration or the convenience of the citizens of the town, the Mayor may designate additional days as registration days. Registration shall be permanent, and no person shall be entitled to vote

in town elections unless he is registered. It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up to date by striking from the lists persons known to have died or to have moved out of the town. The Council is hereby authorized and directed by ordinance to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration and to provide for a registration when necessary.

SECTION 7. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 608 of the Charter be and it is hereby amended as follows:

Section 608 – Filing for Office

Persons may be nominated for elective office in the town by filing a certificate of nomination and the documentation required by Section 609(B) of this Charter at the office of the Board of Supervisors of Elections on or before the second Monday in ((April)) February next preceding the town election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time. Any person desiring to withdraw his candidacy must do so seven days prior to the election.

SECTION 8. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 608A of the Charter be and it is hereby amended as follows:

Section 608A – Certificate of Nomination

Persons may be nominated for elective office in the town by filing a certificate of nomination and the documentation required by Section 609(B) of this Charter at the office of the Board of Supervisors of Elections on or before the second Monday in ((April)) February next preceding the town election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time. Any person desiring to withdraw his candidacy may do so at least seven days prior to the election.

A. Certificate of nomination. A certificate in the following form shall be sufficient:

To the Board of Supervisors of Elections of the Town of Rock Hall,

I hereby request that you print my name on the official ballot in the Town of Rock Hall election to be held on _____ as candidate for _____; I am _____ years old; I have been a bona fide resident of the town for _____; I am a registered voter in the town.

Date _____ Signature _____
Address _____

SECTION 9. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that Section 609 of the Charter be and it is hereby amended as follows:

Section 609 – Elections of the Mayor and Councilpersons

- A. On the first Saturday of ((May 1991)) March 2027, and every alternate two years thereafter, the qualified voters of the town shall elect one person as Mayor and two persons as Councilmembers for terms of four years.
- B. On the first Saturday of ((May 1993)) March 2025, and every alternate two years thereafter, the qualified voters of the town shall elect two Councilmembers for terms of four years.

SECTION 10. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that, in this Resolution, unless a section of the Charter is expressly repealed in its entirety and reenacted, new or added language is underlined and deleted text is enclosed in double parentheses. Language added after the date of introduction is in italicized, boldface type, and text deleted after the date of introduction is crossed out twice.

SECTION 11. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Resolution, it being the intent of the Council that this Resolution shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 12. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that to the extent that any section of the Charter of the Town is in conflict with the provisions of Sections 1 through 9 of this Resolution, such section or sections be and hereby are repealed to the extent of such conflict.

SECTION 13. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that the date of adoption of this Resolution is March 14, 2024, and the Charter amendment enacted by this Resolution shall become effective upon the fiftieth (50th) day after adoption, or on May 3, 2024, unless a proper petition for a referendum hereon shall be filed on or before the fortieth (40th) day after adoption, or on April 23, 2024, as permitted by law. A complete and exact copy of this Resolution shall be posted at the Town Office at 21447 Rock Hall Avenue, Rock Hall, Maryland, or another main municipal building or public place, for a period of at least forty (40) days following its adoption, or until April 23, 2024, and the title to this Resolution, being a fair summary of the Charter amendment enacted hereby, shall be published in a newspaper of general circulation in the Town not less than four (4) times, at weekly intervals within a period of at least forty (40) days, starting immediately after the date of its adoption, or between March 15, 2024, and April 24, 2024.

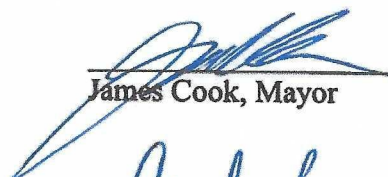
SECTION 14. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that as soon as the Charter amendment enacted by this Resolution shall become effective, either as herein provided or following a referendum, the Clerk-Treasurer shall send by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, or by e-mail to the Department of Legislative Services of the State of Maryland, the following documents or information concerning the Charter amendment: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number


of votes cast for or against this Resolution by the Council or in a referendum; and (4) the effective date of the Charter amendment.


SECTION 15. BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that the Clerk-Treasurer is hereby authorized and directed to carry out the provisions of Sections 13 and 14 hereof; and as evidence of compliance herewith, the Clerk-Treasurer shall cause to be affixed to the minutes of the Council for the meeting at which this Resolution is adopted: (1) a certificate to the effect that this Resolution was duly and properly posted as provided in Section 13 herein; (2) an appropriate certificate of publication in the newspaper in which the fair summary of the Charter amendment shall have been published as provided in Section 13 herein; and (3) the return receipt of the mailing as provided in Section 14 herein.

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This Charter Amendment Resolution was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 8th day of February, 2024, and having been reviewed and considered for final action, was duly adopted on the 14th day of March, 2024.


James Cook, Mayor yes
(VOTE)


Carolyn Jones, Vice Mayor (VOTE)

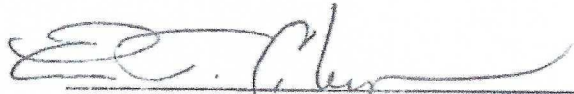

Eleanor Collyer, Councilmember (VOTE)


Timothy Edwards, Councilmember (VOTE)

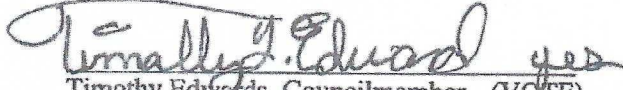

Richard Seewald, Councilmember (VOTE)

Approved as to form:

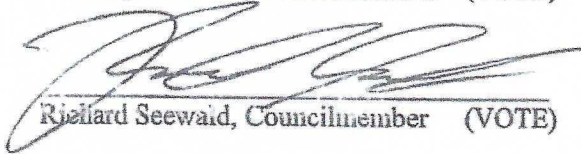
Patrick W. Thomas, Town Attorney



Eleanor Collyer, Councilmember (VOTE)

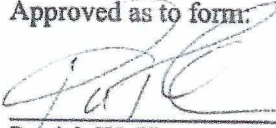


Timothy Edwards, Councilmember (VOTE)



Richard Seewald, Councilmember (VOTE)

Approved as to form:



Patrick W. Thomas, Town Attorney