

SUMMARY OF PROPOSED CHARTER AMENDMENT

Existing:

Section 32. Election of mayor and council members. On the last Monday in January 1973, and on the last Monday in January every two years thereafter an election shall be held for the purpose of electing a Mayor and Council members. At the election to be held on the last Monday in January, 1973, and every two years thereafter, the Mayor shall be elected whose term of office shall be for two years or until his successor is duly qualified. At the election to be held on the last Monday in January of 1973, there shall be elected four council members, the two council members with the highest vote shall serve for a period of four years or until their successors are duly qualified and the third and fourth council members receiving the highest number of votes shall serve for a period of two years or until their successors are duly qualified. At the election to be held on the last Monday in January of 1975, and every two years thereafter there shall be elected two council members whose term of office shall be for four years or until their successors are duly qualified.

Proposed Change:

Section 32. Beginning in 2021, the Election of Mayor and certain members of the Council shall occur on the third Monday of April in each odd numbered year. At the election to be held April 19, 2021 and every two years thereafter, the Mayor shall be elected whose term of office shall be for two years or until his successor is duly qualified. At the election of April 19, 2021, two council members with a term of four years will be elected to succeed those Council members whose terms expire in 2021. All Council members shall serve a term of office for four years or until their successors are duly qualified.

CURRENT ELECTED OFFICIALS:

MAYOR

Elected by Voters to 2-year term (Jan.):

Ralph T. Salvagno, M.D., Mayor, 2021

TOWN COUNCIL

Elected by Voters to 4-year terms (Jan.):

Timothy E. Boyer, 2021

Leo I. Murray, 2021

Roland E. Lanehart Jr., 2023

Timothy W. Smith, 2023

Charter Amendment Resolution Adoption Process:

Adoption:

Initiation by Elected Officials:

Must first pass a resolution to effect charter change in same manner as formal resolution.

Resolution must contain exact wording of the proposed amendment or amendments.

Each amendment must address a single subject and appear in forma set out in law describing additions and deletions.

Must hold a public hearing on the proposed amendment LG §4-304

Must give at least 21 days' advance notice of the public hearing. LG §4-304

Must post exact copy of the resolution at the main municipal building for 40 days after the resolution is adopted. LG §4-304

Must publish a "fair summary" of the proposed amendment in newspaper of general circulation in the municipality at least 4 times, at weekly intervals, within 40 days after the resolution is adopted. LG §4-304

Changes at Second Reading/Passage:

Changes to the Resolution may be made at the second reading and the Resolution passed as so amended. Such changes should be clearly indicated by double underline for additions and for deletions.

Effective: on 50th day after the resolution is adopted unless petition for referendum in form required by law filed on or before the 40* day after adoption of the resolution. LG §4-304

Recordation

Once effective, Resolution must be sent to Department of Legislative Services

Annual Compilation

On or before March 1 of each year, Town must send a copy of the compilation of the prior year's charter enactments to Department of Legislative Services LG §4-310

Fair Summary of Proposed Amendment:

Proposal to amend the Town of Hancock Municipal Charter, Section 32, to change the date of municipal general elections from the last Monday in January to the third Monday in April, beginning in 2021. In 2021, council members elected in the 2017 general election will continue to serve until their successors are duly elected and qualified as a result of the 2021 election.

Introduced by Mayor Ralph Salvagno
1st Reading: 19 Oct, 2020
Passed: 19 Oct, 2020
Posted: 20 Oct, 2020
Effective: _____, 2020

**RESOLUTION FOR AN AMENDMENT TO
THE CHARTER OF THE TOWN OF HANCOCK, MARYLAND**

CHARTER RESOLUTION NO. CR-_____

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF HANCOCK
TO AMEND THE CHARTER OF THE TOWN OF HANCOCK
BY AMENDING SECTION 32, ENTITLED “ELECTION OF MAYOR AND
COUNCIL MEMBERS”,
TO PROVIDE FOR A CHANGE IN THE DATE OF THE TOWN’S GENERAL
ELECTION BEGINNING IN 2021**

WHEREAS, the Town’s general elections are presently conducted every two years on the last Monday in January; and

WHEREAS, the Council has noted that voter turnout in such elections in recent years has been low despite efforts to increase access and encourage participation; and

WHEREAS, the Council held work sessions and conducted a public meeting and forum at which possible changes to the Charter to encourage voter turnout were discussed and residents were heard on the matter; and

WHEREAS, a plurality of those residents voicing opinion on the matter supported a change in the election date to a date later in the year to avoid harsh winter weather likely to negatively affect voter turnout; and

WHEREAS, consideration was given in rescheduling the election date to avoid potential conflicts with religious and secular holidays to the extent practicable; and

WHEREAS, the Council at a regular meeting on December 12, 2018, resolved that the date change would be in the best interest of the residents of the Town, and affirmed its intention to proceed with a Charter amendment as required by law; and

WHEREAS, Maryland municipalities may enact laws and procedures for conduct of their own municipal elections.

SECTION 1. NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF HANCOCK, that the following amendment to the Charter of the Town of Hancock is proposed, and upon fulfillment of the requirements of Article XI-E, Section 4 of the Constitution of Maryland, Section 4-301, et seq., of the Local Government Article of the Annotated Code of Maryland, and the Charter of the Town of Hancock, Section 32 of the Charter shall be repealed and replaced as amended as follows:

Section 32. Election of mayor and council members. ~~On~~ Commencing on the ~~last~~ third Monday in ~~January~~ April ~~[1973]~~ 2021, and on the ~~last~~ third Monday in ~~January~~ April every two years thereafter an election shall be held for the purpose of electing a Mayor and Council members. At the election to be held on the ~~last~~ third Monday in ~~January~~ April ~~[1973]~~ 2021, and every two years thereafter, the Mayor shall be elected whose term of office shall be for two years or until his successor is duly qualified. At the election to be held on the ~~last~~ third Monday in ~~January~~ April ~~[1973]~~ 2021, there shall be elected ~~four~~ two council members to succeed those two council members elected in the 2017 regular election, who shall serve until their successors are duly qualified. At the election to be held on the third Monday in April, 2023, there shall be elected two council members to succeed those two council members elected in the 2020 regular election, who shall serve until their successors are duly qualified. ~~[the two council members with the highest vote shall serve for a period of four years or until their successors are duly qualified. At the election to be held on the last Monday in January of 1975, and every two years thereafter there shall be elected two council members whose term of office shall be for four years or until their successors are duly qualified.]~~ The term of office of all council members shall be for four years or until their successors are duly qualified.

* * *

Explanatory Note

Underlining indicates language being added to the Charter.

~~[Bold brackets and strikethrough]~~ indicate language being deleted from the Charter.

Amendments made on _____, 2020, prior to adoption of the Charter Amendment Resolution are shown as double underline for additions and ~~double strikethrough~~ for deletions.

SECTION 2. AND BE IT FURTHER RESOLVED that the date of adoption of this Charter Amendment Resolution CR- 10-19-2020 by the Council is 19 October 2020, and the amendment of the Charter of the Town of Hancock enacted by this Resolution shall become effective on 9 December, 2020 (50 days after its adoption) unless a proper petition for referendum shall be filed in accordance with the provisions of Section 4-304 of the Local Government Article of the Annotated Code of Maryland.

SECTION 3. AND BE IT FURTHER RESOLVED, that upon adoption of this Resolution, the Town Manager shall (a) post a complete and exact copy of this Resolution, at the Town office, 126 West High St., Hancock, Maryland 21750, on the public bulletin board for a period of at least forty (40) consecutive days following its adoption; and (b) cause a fair summary of the proposed amendments, as contained herein, to be published not less than four (4) times, at weekly intervals within a period of at least forty (40) days after adoption of the above Resolution, in a newspaper of general circulation in the Town.

SECTION 4. AND BE IT FURTHER RESOLVED, that the Town Manager is specifically directed to carry out the provisions of Section 3 of this Resolution and, as evidence of compliance, the Town Manager shall cause to be affixed to this Charter Amendment Resolution a certificate of publication of the newspaper in which such fair summary of the amendments appearing shall have been published and, if there is no timely and properly filed Petition for Referendum, the Council of the Town of Hancock shall declare the Charter Amendment herein contained to be effective on the effective date as first indicated above by properly executing this Resolution in the space provided below.

SECTION 5. AND BE IT FURTHER RESOLVED, that if a proper Petition for Referendum is timely filed, the Council of the Town of Hancock shall comply with the requirements of Section 4-304 of the Local Government Article of the Annotated Code of Maryland, and shall set a date and hours for the Referendum on this Charter Amendment Resolution. If a favorable referendum is held on the proposed amendment, the Council shall proclaim the proposed Charter Amendment hereby enacted to have been approved by the voters and the Charter Amendment shall become effective on the date provided by law.

SECTION 6. AND BE IT FURTHER RESOLVED, as soon as the Charter Amendment shall become effective, either as herein provided or following a referendum, the Council of the Town of Hancock shall promptly send by registered mail, return receipt requested, to the Department of Legislative Reference of Maryland, the following: a) a complete certified copy of the text of this Resolution; b) the date of the referendum, if any is held, with respect thereto; c) a certificate showing the number of Council members voting for and against the Charter Amendment hereby enacted and the number of votes cast in any referendum hereon; and d) the effective date of the Charter Amendment and affixing the return receipt hereto.

SECTION 7. AND BE IT FURTHER RESOLVED, upon passage and adoption of this Resolution, the terms of all seated and duly elected Mayor and Town Council members will be extended from January 2021 until the Town election day in April 2021 at which time the stipulations of Section 32 of the revised Town Charter shall be in effect.

THIS CHARTER AMENDMENT RESOLUTION HAVING BEEN
INTRODUCED unto the Council of the Town of Hancock at a regular meeting of the Council
on the 19 day OCTOBER, 2020, and approved by a majority vote on the 19 day of
OCTOBER, 2020.

ROLL CALL VOTE:

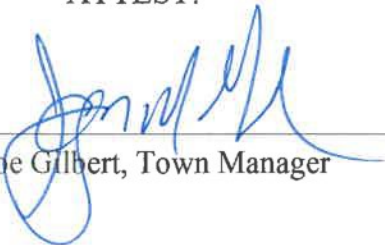
AYE: MURRAY BOYER SALVAGNO

NAY: LANE HART, SMITH

ABSTAIN:


ABSENT:

ATTEST:



Joe Gilbert, Town Manager

COUNCIL OF THE TOWN OF
HANCOCK

By: 

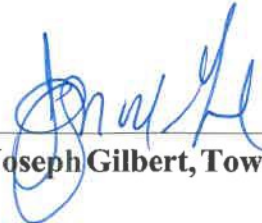
Ralph T. Salvagno, Mayor

CERTIFICATIONS

I HEREBY CERTIFY that an exact copy of the foregoing Charter Amendment Resolution No. CR-2020-1 was posted on the bulletin board in the Town Office on the 20th day of October, 2020, at 9:30 a.m./p.m., and was there continuously posted for at least forty (40) consecutive days, said posting having terminated on the 29th day of November, 2020, at 1:30 a.m./p.m.

WITNESS:

_____ 

_____ 
Joseph Gilbert, Town Manager

I HEREBY CERTIFY that a summary of the proposed Charter Amendment Resolution No. CR-2020-1 was published in the Hancock News, a newspaper of general circulation in the Town of Hancock not less than four (4) times, at weekly intervals within a period of forty (40) days after the adoption of the above Resolution, as evidenced by the attached Certificate of Publication issued by the newspaper. Said dates of publication were as follows:

WITNESS:

_____ **Joseph Gilbert, Town Manager**

I HEREBY CERTIFY that a copy of the Charter Amendment enacted by the foregoing Charter Amendment Resolution No. CR-2020-01, was mailed by certified mail, return receipt requested, to the Department of Legislative Reference of Maryland in accordance with Sections 4-109 and 4-308 of the Local Government Article of the Annotated Code of Maryland on the _____ day of _____, 2020, as evidenced by the attached receipt from the U.S. Postal Service.

WITNESS:

_____ **Joseph Gilbert, Town Manager**