

**TOWN OF ROCK HALL, MARYLAND**

**CHARTER AMENDMENT RESOLUTION No. 2023-01**

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 purpose of deleting certain language regarding purchases and contracts; providing that the title of this Charter Amendment Resolution shall be deemed a fair summary; and generally relating to ordinances of 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 containing the signatures of at least twenty (20) percent 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 purpose of deleting certain language regarding purchases and contracts, which will enable the Council to adopt a more detailed procurement policy for the Town; 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 712 of the Charter be and it is hereby amended as follows:

**Section 712 – Purchases and Contracts**

**((Purchases for the town government may be made by the Town Manager, Clerk-Treasurer and heads of the departments up to a maximum of \$1,000 with appropriately approved purchase order. Extraordinary purchases exceeding this maximum must be approved by the Mayor and Council before obligating the town to such purchases.))** The Mayor and 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. **((All expenditures for supplies, materials, equipment, construction of public improvements or contractual service involving more than \$5,000 shall be made on written contract. The Clerk-Treasurer shall be required to advertise for sealed bids, in such manner as may be prescribed by ordinance, for all such written contracts. Such written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods or 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 Mayor and Council shall have the right to reject any and all bids.))** All written contracts shall be protected by such bonds, penalties and conditions as the town may require.

**SECTION 2.** 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 3.** 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 4.** 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 Section 1 of this Resolution, such section or sections be and hereby are repealed to the extent of such conflict.

**SECTION 5.** BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF ROCK HALL that the date of adoption of this Resolution is October 12, 2023, and the Charter amendment enacted by this Resolution shall become effective upon the fiftieth (50<sup>th</sup>) day after adoption, or on December 1, 2023, unless a proper petition for a referendum hereon shall be filed on or before the fortieth (40<sup>th</sup>) day after adoption, or on November 21, 2023, 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 November 21, 2023, 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 October 13, 2023, and November 21, 2023.

**SECTION 6.** 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, 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 7.** 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 5 and 6 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 5 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 5 herein; and (3) the return receipt of the mailing as provided in Section 6 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 ~~12~~<sup>14</sup> day of ~~October~~<sup>September</sup> 2023, and having been reviewed and considered for final action, was duly adopted on the 12 day of October, 2023.

  
James Cook, Mayor yes  
(VOTE)

  
Carolyn Jones, Vice Mayor yes  
(VOTE)

Absent  
Eleanor Collyer, Councilmember (VOTE)

  
Timothy Edwards, Councilmember yes  
(VOTE)


  
Richard Seewald, Councilmember yes  
(VOTE)

Approved as to form:

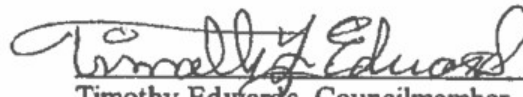
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Patrick W. Thomas, Town Attorney

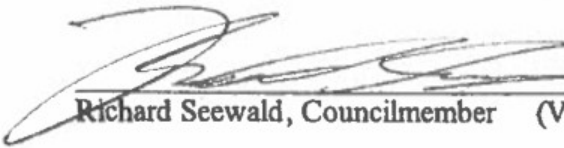
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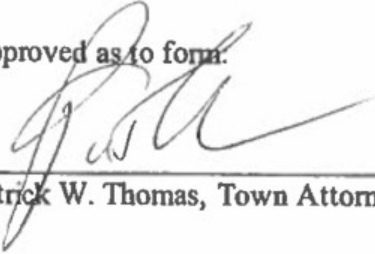
  
James Cook, Mayor YES  
(VOTE)

  
Carolyn Jones, Vice Mayor YES  
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Absent  
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Timothy Edwards, Councilmember yes  
(VOTE)

  
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(VOTE)

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Patrick W. Thomas, Town Attorney