

Introduced: Ms. Mach
1st Reading: July 9, 2007
Passed: August 13, 2007
Posted: August 14, 2007
Effective: October 2, 2007

CHARTER AMENDMENT RESOLUTION NUMBER 2007-1

RESOLUTION NUMBER 1020

A RESOLUTION OF THE CITY OF GREENBELT ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND SECTION 13 OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND, (1957 EDITION AS AMENDED), TITLE, "CORPORATION-MUNICIPAL," SUBTITLE "HOME RULE" TO AMEND THE CHARTER OF THE CITY OF GREENBELT FOUND, IN WHOLE OR IN PART, IN THE COMPILATION OF MUNICIPAL CHARTERS OF MARYLAND (1983 EDITION AS AMENDED), AS PREPARED BY THE DEPARTMENT OF LEGISLATIVE REFERENCE PURSUANT TO CHAPTER 77 OF THE ACTS OF THE GENERAL ASSEMBLY OF MARYLAND OF 1983, BY AMENDING SECTION 31, TITLED "ELECTION OF COUNCIL" TO CLARIFY A CERTAIN REQUIREMENT FOR HOLDING A RUNOFF ELECTION

SECTION I WHEREAS, a runoff election should not be required if no more than five (5) candidates appear on a ballot for City Council but not all of them receive votes amounting in number to forty (40) percent or more of the number of voters voting in the election. NOW, THEREFORE,

SECTION II BE IT RESOLVED AND ORDAINED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (1983 edition as amended), as prepared by the Department of Legislative Reference pursuant to Chapter 77 of the Acts of the General Assembly of Maryland of 1983, shall be amended to read as follows:

* * * * *

Sec. 31. Election of council.

All members of council shall be elected at large. Every voter shall be entitled to vote for five (5) candidates. The candidates receiving votes amounting to forty (40) percent or more of the number of voters voting at the election, shall be declared elected. If more candidates receive votes amounting to forty (40) percent or more of the number of voters voting than there are offices to be filled, those candidates receiving the greatest number of votes shall be declared elected. If, however, fewer than five (5) candidates in a field of six (6) or more candidates receive votes amounting to forty (40) percent or more of the persons voting in the election, a runoff election will ~~shall~~ be held to fill the vacancies remaining. This runoff election will be held on the seventh day following the first election. In the runoff election twice as many names, if possible, will be printed on the ballot as there are vacancies remaining unfilled. These names will be of those unelected candidates who polled the greatest number of votes in the first election. The names shall be listed in the order as they appear on the ballot for the first election. In the runoff election the remaining position

will be filled by declaring elected the candidate or candidates receiving the greatest number of votes.

If, as a result of any election, an office cannot be declared filled because of an equal number of votes being received by two (2) or more candidates, a runoff election shall be held on the seventh day following the election. The names of the candidates receiving the tie vote shall be placed on the ballot and the candidate receiving the greatest number of votes in the runoff election shall be declared elected.

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SECTION III BE IT FURTHER RESOLVED that the date of the adoption of this resolution is August 13, 2007, and that the amendment to the Charter of the City, as herein adopted, shall be and become effective on October 2, 2007, unless on or before September 22, 2007, a proper petition for referendum on this resolution shall be filed as permitted by law.

SECTION IV BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at the Greenbelt City Office, 25 Crescent Road, Greenbelt, Maryland, until September 22, 2007, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Greenbelt not fewer than four (4) times at weekly intervals before September 22, 2007.

SECTION V BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City Manager shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

SECTION VI AND BE IT FURTHER RESOLVED that the City Manager of the City of Greenbelt be and hereby is specifically enjoined and instructed to carry out or cause to be carried out the provisions of Sections IV and V.

Judith F. Davis, Mayor

ATTEST:

Kathleen Gallagher, City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.