

RESOLUTION NO. CA-4-16

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF GAITHERSBURG
TO AMEND SECTION 41 OF THE CITY CHARTER ENTITLED "SAME-PUBLIC
HEARING; CHANGES; VOTE REQUIRED FOR ADOPTION" SO AS TO AMEND
THE REQUIRED DAYS OF PUBLICATION PRIOR TO A PUBLIC HEARING

WHEREAS, Section 41 of the Charter of the City of Gaithersburg establishes requirements for publication of notice of public hearings; and

WHEREAS, the Mayor and City Council has determined that the proposed amendments ensure that the notification of public hearings are in accordance with the laws of the State of Maryland; and

WHEREAS, the amendment of Section 41 of the Charter of the City of Gaithersburg was duly considered by the Mayor and City Council at a public hearing held on May 2, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, in public meeting assembled, that Section 41 of the City Charter is hereby amended as follows:

Section 1 – That Section 41 of the Charter of the City of Gaithersburg be, and the same is, amended to read as follows:

Sec. 41. - Same—Public hearing; changes; vote required for adoption.

Before adopting the budget, the council shall hold a public hearing thereon after publication of ~~fifteen~~ seven to twenty-one days' notice thereof. The council may insert new items or may increase or decrease the items of the budget. Where the council shall increase the total proposed expenditures, it shall also levy taxes which shall be sufficient, with other anticipated revenues, to equal such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of a majority of the councilmen present and voting shall be necessary for adoption.

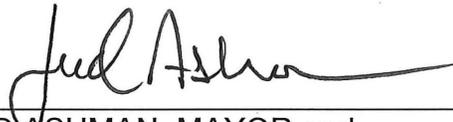
Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

Section 2 – BE IT FURTHER RESOLVED that the date of the adoption of this resolution is June 6, 2016, and that the amendment to the Charter of the City of Gaithersburg, as herein adopted, shall be and become effective on July 26, 2016, unless on or before said date a proper petition for referendum of this resolution shall be filed as permitted by law.

Section 3 – BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877, until July 16, 2016, 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 Gaithersburg not fewer than four (4) times at weekly intervals before July 16, 2016.

Section 4 – AND 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 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.

ADOPTED by the City Council this 6th day of June, 2016.



JUD ASHMAN, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing Resolution was adopted by the City Council, in a public meeting assembled on the 6th day of June, 2016. This Resolution will become effective on the 26th day of July, 2016.

Tony Tomasello, City Manager