

RESOLUTION NO. CA-5-16

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
GAITHERSBURG TO AMEND SECTION 42 OF THE CITY CHARTER ENTITLED
“SAME-APPROPRIATION REQUIRED FOR EXPENDITURE; APPROVAL OF
BUDGET CONSTITUTES APPROPRIATION; TRANSFER OF FUNDS WITHIN
BUDGET” SO AS TO INCLUDE APPROPRIATIONS FOR A SPECIFIED PURPOSE

WHEREAS, Section 42 of the Charter of the City of Gaithersburg provides the circumstances in which public funds are appropriated by the Council; and

WHEREAS, the Mayor and City Council has determined that the proposed amendment is in the best interest of the City; and

WHEREAS, the amendment of Section 42 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 42 of the City Charter is hereby amended as follows:

Section 1 – That Section 42 of the Charter of the City of Gaithersburg be, and the same is, amended to read as follows:

Sec. 42. - Same—Appropriation required for expenditure; approval of budget constitutes appropriation; transfer of funds within budget.

No public money may be expended without having been appropriated by the council. From the effective date of the budget, the several amounts stated therein as proposed expenditures or appropriations for a specified purpose shall be and become appropriated to the several objects and purposes named therein. The council shall have the power, after the adoption of the budget, to approve transfers of funds from one purpose to another.

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.



JUDASHMAN, 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