

**CHARTER AMENDMENT RESOLUTION NO. 142**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN ARTICLE 11-E OF THE CONSTITUTION OF THE STATE OF MARYLAND AND SECTION 4-304 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND ENTITLED "A RESOLUTION TO REPEAL AND REENACT WITH AMENDMENTS SECTION 23 OF THE CHARTER OF THE CITY OF CUMBERLAND, MARYLAND (1991 EDITION), PERTAINING TO MEETINGS OF THE MAYOR AND CITY COUNCIL, WHAT CONSTITUTES A QUORUM AND THE REQUIREMENT THAT MEETINGS BE OPEN TO THE PUBLIC, FOR THE PURPOSE OF CHANGING THE FREQUENCY OF REGULAR MEETINGS FROM BI-WEEKLY TO SEMI-MONTHLY."

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Section 23 of the Charter of the City of Cumberland (1991 Edition) be repealed and reenacted with amendments to read as follows:

**Section 23. Meetings of mayor and city council; quorum; meetings to be open to public.**

The said mayor and city council shall meet at least twice monthly in regular meeting at such time as shall be fixed by said council at the City Hall to consider and take under advisement and act upon such business as may come before them. Following the effective date of this provision, these meetings shall take place on the first and third Tuesdays of each month; however, the specific dates may be changed by the council. A majority of said mayor and city council shall constitute a quorum for the transaction of all business, but no action of said mayor and city council shall be effective unless upon a vote of a majority of such quorum. All legislative sessions of said mayor and city council, whether regular or called, shall be open to the public.

Note: A text-edited version of Section 23 of the Charter showing the changes to its terms is attached hereto as Exhibit A.

SECTION 2: AND BE IT FURTHER RESOLVED, that the date of the passage of this Resolution is March 11, 2014, and the amendment of the Charter of the City of

Cumberland, hereby enacted, shall become effective on May 1, 2014, unless a proper petition for a referendum hereon shall be filed on or before the 40<sup>th</sup> day after the date of the passage of this Resolution, as provided by Section 4-304 of Local Government Article of the Annotated Code of Maryland. A complete and exact copy of this Resolution shall be continuously posted on the North Centre Street entrance of City Hall, Cumberland, Maryland, through April 20, 2014, and the title of this Resolution setting forth a fair summary of its terms shall be published in a newspaper of general circulation in the City of Cumberland, no less than four times, at weekly intervals, with the last publication occurring on or before April 20, 2014.

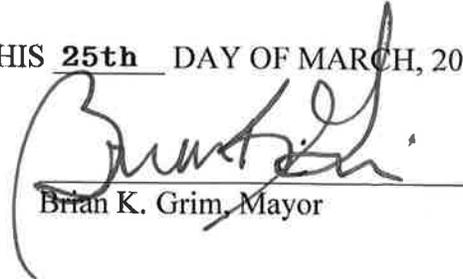
SECTION 3: AND BE IT FURTHER RESOLVED, that the Mayor and City Council of Cumberland is hereby specifically directed to carry out the provisions of Section 2 hereof, regarding the giving of notice by posting and publication of this Resolution, approving the same, and, as evidence of said compliance, the City Clerk shall cause to be affixed to this Resolution a certificate of the publication in the newspaper in which the summary of this Resolution (i.e., its title) shall have been published, and the Mayor, if there is no petition for referendum, shall declare the Charter Amendment made to be effective on the effective date herein provided for, which is May 1, 2014, by affixing his signature hereto in the space provided below the effective date hereof.

SECTION 4: AND BE IT FURTHER RESOLVED, that, if a proper petition for referendum on the Charter Amendment herein proposed is filed, the Mayor and other proper officials of the City of Cumberland shall comply with all of the provisions set forth in Sections 4-304 and 4-307 of the Local Government Article of the Annotated Code of Maryland.

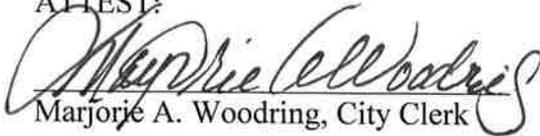
SECTION 5: AND BE IT FURTHER RESOLVED, that as soon as the Charter Amendment shall become effective, either as herein provided or following a referendum, the Mayor shall send separately, by registered mail, to the Secretary of the State of Maryland and to the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a

certificate showing the number of Councilpersons voting for and against it, and a report on the votes cast for or against the amendments hereby enacted at any referendum hereon, and the effective date of the Charter Amendment.

THIS RESOLUTION PASSED THIS 25th DAY OF MARCH, 2014.

  
\_\_\_\_\_  
Brian K. Grim, Mayor

ATTEST:

  
\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

The Charter Amendment enacted by the foregoing Resolution became effective this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Brian K. Grim, Mayor

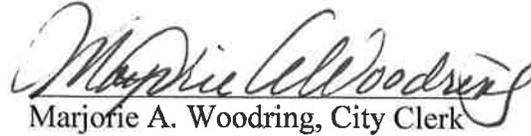
ATTEST:

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that I caused a copy of the foregoing Resolution to be posted on the North Centre Street entrance of City Hall continuously from March 26th, 2014 through April 5th, 2014.

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing Resolution, amending the Charter of the City of Cumberland, Maryland, was passed the 25th day of March, 2014, with 5 votes in affirmation and 0 votes in the negative.

  
Marjorie A. Woodring, City Clerk

I HEREBY CERTIFY, that the foregoing is a true and exact copy of the Charter Amendment Resolution No. \_\_\_\_\_ passed by the Mayor and City Council of Cumberland, Maryland, in Regular Session on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

I FURTHER CERTIFY, that there was no petition for a referendum on the proposed amendment filed within the required time, and therefore, the same became effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Marjorie A. Woodring, City Clerk

## EXHIBIT A

### **Section 23. Meetings of mayor and city council; quorum; meetings to be open to public.**

The said mayor and city council shall meet at least ~~bi-weekly~~ twice monthly in regular meeting at such time as shall be fixed by said council at the City Hall to consider and take under advisement and act upon such business as may come before them. Following the effective date of this provision, these meetings shall take place on the first and third Tuesdays of each month; however, the specific dates may be changed by the council. A majority of said mayor and city council shall constitute a quorum for the transaction of all business, but no action of said mayor and city council shall be effective unless upon a vote of a majority of such quorum. All legislative sessions of said mayor and city council, whether regular or called, shall be open to the public.

Note: The underscored text denotes additions to the Charter and the stricken through text denotes deletions.