

THE EFFECTIVE DATE OF THIS RESOLUTION IS JUNE 30, 2020

RESOLUTION NO. 20-19

RE: Charter Amendment – Non-interference

The Frederick County Charter, Section 701, provides that the Charter may be amended by the procedures provided in Article XI-A of the Maryland Constitution.

Article XI-A, §5 of the Maryland Constitution provides, in relevant part, that amendments to any charter adopted by any County may be proposed by a Resolution of the County Council.

Article XI-A, §5 of the Maryland Constitution provides that a Charter Amendment shall be published by the President of the County Council once a week for five successive weeks prior to the election in at least one newspaper published in the County.

Article XI-A, §5 of the Maryland Constitution provides that an amendment so proposed shall be submitted to the voters of the County at the next general or congressional election occurring after the passage of the resolution.

Article XI-A, §5 of the Maryland Constitution provides that if at the election the majority of the votes cast for and against the amendment shall be in favor thereof, the amendment shall be adopted and become a part of the charter of the County from and after the thirtieth day after the election.

The Frederick County Charter currently provides that the County Executive must provide any information that is requested by the Council as a body for the purpose of legislation and monitoring Government programs, activities, and policy implementation.

Specifically, Subsection 212(b) states:

212. Non-interference

(b) Notwithstanding subsection (a) of this section, it shall be the duty of the Executive to provide any information that is requested by the Council in writing for the purpose of introducing and evaluating legislation or to engage in the review and monitoring of Government programs, activities, and policy implementation.

In order for the Council, as a body, to request information from the County Executive a majority of Council Members must agree to the request.

The County Council, therefore, adopts this Resolution to amend Subsection 212(b) of the County Charter to read:

212. **Non-interference**

(b) Notwithstanding subsection (a) of this section, it shall be the duty of the Executive to provide any information that is requested by the Council, or its members, in writing for the purpose of introducing and evaluating legislation or to engage in the review and monitoring of Government programs, activities, and policy implementation.

The County Council held a duly advertised public hearing on this proposed Resolution on June 16, 2020. The public had an opportunity to comment on the proposed Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Council of Frederick County that the following amendment to the Frederick County Charter shall be submitted to the voters of the County at the next general or congressional election in accordance with Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution:

212. **Non-interference**

(b) Notwithstanding subsection (a) of this section, it shall be the duty of the Executive to provide any information that is requested by the Council, or its members, in writing for the purpose of introducing and evaluating

legislation or to engage in the review and monitoring of Government programs, activities, and policy implementation.

AND BE IT HEREBY FURTHER RESOLVED by the County Council of Frederick County, that pursuant to Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the President of the County Council once a week for five successive weeks prior to the election in at least one newspaper published in said County;

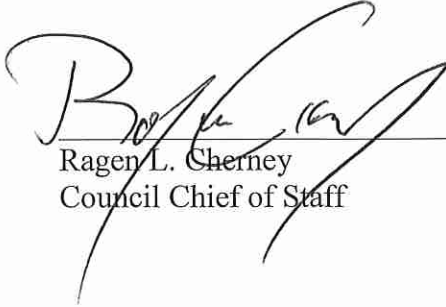
AND BE IT HEREBY FURTHER RESOLVED by the County Council of Frederick County, that pursuant to Section 701 of the Frederick County Charter and Article XI-A, §5 of the Maryland Constitution, this proposed Charter Amendment shall be submitted to the voters of the County at the next general or congressional election occurring after the passage of this Resolution.

The undersigned hereby certifies that this Resolution was approved and adopted on the

28<sup>th</sup> day of July, 2020.

ATTEST:

COUNTY COUNCIL OF  
FREDERICK COUNTY, MARYLAND

  
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Ragen L. Cherney  
Council Chief of Staff

By:   
\_\_\_\_\_  
M.C. Keegan-Ayer, President *ck*