

AMENDMENT 1 to Frederick County Charter

Introduced By: Council President Bud Otis &
Council Member Tony Chmelik (District 2)

Introduction Date:

Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 4, Executive

411. County Attorney

(a) The Executive shall appoint a County Attorney, subject to confirmation by the Council. The County Attorney shall be the chief legal officer of the County and conduct all the law business of the County. The County Attorney shall be a legal advisor to the Executive, the Council, all County departments, agencies, offices and other instrumentalities of the Government. The County Attorney shall serve at the pleasure of the Executive. **AND THE COUNCIL. THE COUNTY ATTORNEY MAY BE REMOVED FROM OFFICE BY EITHER: (1) THE EXECUTIVE WITH THE CONSENT OF FIVE (5) MEMBERS OF THE COUNCIL; OR (2) UPON A VOTE OF AT LEAST SIX (6) COUNCIL MEMBERS.**

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE CHARTER.

[Strikethrough] indicate matter deleted from the Charter.

VOTE: _____Yeas _____Nays

Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 3 to Frederick County Charter

Introduced By: Council Member Chmelik (District 2)

Introduction Date:

Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 5, Budget and Finance

506. Action on the Budget by the Council

(a) After a public hearing, the Council may decrease, **increase** or delete any items in the Budget, except those required by State law, by provisions for debt services on obligations then outstanding for estimated cash deficits. The Council shall have no power to change the form of the Budget as submitted by the Executive, to alter revenue estimates, or to increase ~~any expenditure~~ **the Budget** recommended by the Executive, unless expressly provided in State law and except to correct mathematical errors. **An increase of any item shall have an offsetting and equal decrease.**

(c) A decrease, **addition**, or deletion of one or more items in the Budget may not constitute a change of substance in the proposed Budget if the decrease, **addition**, or deletion constitutes less than one percent change in the total Budget or less than fifty percent decrease in any one line item in the Budget.

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE CHARTER.

[~~Strikethrough~~] indicate matter deleted from the Charter.

VOTE: _____Yeas _____Nays

Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 4 to Frederick County Charter

Introduced By: Council Member Fitzwater (District 4)

Introduction Date:

Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 7, Miscellaneous

705. COLLECTIVE BARGAINING

**THE COUNCIL SHALL PROVIDE FOR COLLECTIVE BARGAINING FOR
NON-MANAGEMENT COUNTY EMPLOYEES OF WAGES, HOURS AND
OTHER TERMS AND CONDITIONS OF EMPLOYMENT.**

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE CHARTER.

[~~Strikethrough~~] indicate matter deleted from the Charter.

VOTE: _____ Yeas _____ Nays

Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 5 to Frederick County Charter

Introduced By: Council Member Keegan-Ayer (District 3)

Introduction Date:

Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 3, Legislative Process

307. Effective Date of Laws

(a) The Annual Budget and Appropriations Ordinance shall take effect on the first day of the fiscal year to which it applies. All other laws, **EXCEPT FOR EXPEDITED LEGISLATION**, shall take effect sixty calendar days after enactment, except in the event a law provides for a later effective date or is referred to the voters under Section 308 of this Charter.

(B) EXPEDITED LEGISLATION IS LEGISLATION CONTAINING A SECTION DECLARING THAT IT IS NECESSARY FOR THE IMMEDIATE PROTECTION OF THE PUBLIC HEALTH, SAFETY, OR WELFARE AND HAS THE SAME MEANING AS “EMERGENCY LEGISLATION” IN ARTICLE XI-A, SECTION 3 OF THE MARYLAND CONSTITUTION.

(C) EXPEDITED LEGISLATION SHALL TAKE EFFECT ON THE DATE IT IS ENACTED UNLESS A DIFFERENT DATE IS PRESCRIBED IN THE LEGISLATION.

308. Referendum

(d) Whenever a petition complying with all the provisions of law and this Charter is filed, the referred law, or the referred portion of law, **OTHER THAN EXPEDITED LEGISLATION**, may not take effect until thirty days after approval by a majority of voters. **EXPEDITED LEGISLATION SHALL REMAIN IN EFFECT FROM THE DATE IT BECOMES LAW NOTWITHSTANDING THE FILING OF A PETITION FOR REFERENDUM, BUT SHALL BE REPEALED THIRTY DAYS AFTER ITS REJECTION BY A MAJORITY OF THE REGISTERED VOTERS VOTING ON THE QUESTION.**

EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE CHARTER.

~~[Strikethrough]~~ indicate matter deleted from the Charter.

VOTE: _____ **Yeas** _____ **Nays**

Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 6 to Frederick County Charter

Introduced By: Council Member Shreve (At-Large)
Introduction Date: May 22, 2018
Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 2, County Council

209. Vacancies

(a) A vacancy occurs when a council member, prior to the expiration of the term for which elected, dies, resigns from office, or becomes disqualified to hold office pursuant to Section 208 of this Charter.

(b) When a vacancy occurs, the remaining council members within forty-five days shall appoint a person to serve the unexpired term of office. The appointee shall be selected by a majority vote of the remaining council members. The appointee shall meet the same qualifications and residence requirements and, when succeeding a ~~party~~ **COUNCIL member WHO WAS ELECTED AS A MEMBER OF A POLITICAL PARTY, THE APPOINTEE**, shall be a member of the same political party as the ~~person~~ **COUNCIL MEMBER VACATING OFFICE WAS IN THE MOST RECENT ELECTION** ~~who vacated office~~.

(c) When succeeding a ~~party~~ **COUNCIL member WHO WAS ELECTED AS A MEMBER OF A POLITICAL PARTY**, the appointee shall be selected from a list of three persons submitted to the Council by the County central committee of the political party affiliated with the ~~person~~ **COUNCIL MEMBER VACATING OFFICE WAS IN THE MOST RECENT ELECTION** ~~vacating office~~, provided the list is submitted within thirty days from the date a vacancy occurs. If no such list is submitted within thirty days, or if the council member vacating office is not a member of a political party, the Council shall appoint the person it deems best qualified to hold office regardless of the person’s party affiliation, if any, provided the appointee meets the qualifications and residency requirements provided in subsection (b) of this section.

(d) If the Council fails to fill a vacancy pursuant to the provisions of this section, the Executive shall appoint a person to fill the vacancy. If the County central committee submitted a list of names pursuant to subsection (c) of this section, the person appointed shall be selected from the list. If no such list has been submitted, the Executive shall appoint the person the Executive deems best qualified to hold office regardless of the person’s party affiliation, if any, provided the appointee meets the same qualifications and residence requirements as the person who vacated office.

EXPLANATION:
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VOTE: _____ Yeas _____ Nays
 Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 7 to Frederick County Charter

Introduced By: Council Member Chmelik (District 2)
Introduction Date: May 22, 2018
Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 5, Budget and Finance

503. Preparation of the County Budget

(a) Not later than April 15 of each year, the Executive shall prepare and submit a proposed Budget to the Council for the ensuing fiscal year. The proposed Budget shall present a complete financial plan for the Government reflecting anticipated revenues from all sources, expenditures, and any surplus or deficit in the general or special funds of the Government.

(b) During preparation of the Budget, the Executive shall hold at least two public hearings to receive public comment. One hearing shall be held in December to receive proposals for inclusion in the Budget. The other shall be held in March to receive comments on budget requests. The Executive shall provide sufficient notice of the public hearings and shall cause to be published in at least one newspaper of general circulation in the County a notice of the date, time and place of each public hearing. If the Executive determines that no such newspaper exists in the County, the Executive shall use whatever media it deems most suited to satisfy the public notice requirements of this section. The Executive shall prepare a draft Budget and make it available to the public prior to the March hearing date.

(c) The proposed Budget shall be reproduced and made available to the public.

(D) THE COUNTY EXECUTIVE MAY INCREASE FUNDING TO THE COMMUNITY PARTNERSHIP GRANT BY NO MORE THAN 15% ABOVE THE PRIOR FISCAL YEAR’S BUDGET FUNDING.

EXPLANATION:

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VOTE: _____Yeas _____Nays

Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis

AMENDMENT 8 to Frederick County Charter

Introduced By: Council Member Shreve (At-Large)

Introduction Date: May 22, 2018

Adopted/Rejected/Withdrawn: _____

Frederick County Charter Article 5, Budget and Finance

503. Preparation of the County Budget

(a) **THE EXECUTIVE SHALL PREPARE AND SUBMIT A PRELIMINARY BUDGET TO THE COUNCIL FOR THE ENSUING FISCAL YEAR NOT LATER THAN MARCH 15.** Not later than April 15 of each year, the Executive shall prepare and submit a proposed Budget to the Council for the ensuing fiscal year. The proposed Budget shall present a complete financial plan for the Government reflecting anticipated revenues from all sources, expenditures, and any surplus or deficit in the general or special funds of the Government.

(b) During preparation of the Budget, the Executive shall hold at least two public hearings to receive public comment. One hearing shall be held in December to receive proposals for inclusion in the Budget. The other shall be held in March to receive comments on budget requests. The Executive shall provide sufficient notice of the public hearings and shall cause to be published in at least one newspaper of general circulation in the County a notice of the date, time and place of each public hearing. If the Executive determines that no such newspaper exists in the County, the Executive shall use whatever media it deems most suited to satisfy the public notice requirements of this section. The Executive shall prepare a draft Budget and make it available to the public prior to the March hearing date.

(c) The proposed Budget shall be reproduced and made available to the public.

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Donald Chmelik Keegan-Ayer Fitzwater Delauter Shreve Otis