

CHARTER AMENDMENT RESOLUTION 2020-01

A Resolution Amending Article II of the City of Hyattsville's Charter to Alter the Day When the Newly Elected Mayor and Council Take Office and Alter the day of the Mayor and Council's organizational meeting; Amending Article IV of the City's Charter to Alter Election Day, Change the Time By Which Certification of the Election Must Take Place and Include Related Clarifying Language.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council seek to amend the City Charter to alter the day when the newly elected Mayor and Council take office, alter the day of the Mayor and Council's organizational meeting, and change the time for certification of the election.

WHEREAS, the Mayor and Council are committed to increasing voter turnout in City of Hyattsville Elections; and

WHEREAS, the Mayor and Council believe that moving the election to the second Tuesday in May will improve voter participation due to likelihood of warmer weather, and improve logistical processes by allowing more time to be allocated for the preparation, implementation, and completion of the election process; and

WHEREAS, the Mayor and Council believe it is possible to reduce the time for certification of the election results; and

WHEREAS, the Mayor and Council believe it is necessary and prudent to adjust the date upon which they first take office in accordance with the adjustment being made to the day of the election; and

WHEREAS, the Mayor and Council desire to delay the organizational meeting so that the new Mayor and Council have time to adjust to their new roles before organizing; and

WHEREAS, the Mayor and Council seek to address these issue by amending the language in the Charter; and

WHEREAS, the City Council gave at least twenty-one (21) days advance notice of the public hearing held regarding adoption of this Resolution and the amendment to the Charter contained herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hyattsville, Maryland, in regular session assembled:

Section 1: That Article II, C§2-3 of the Charter of the City of Hyattsville, Maryland, be amended as follows:

1 * * *

2 **§ C2-3. Organization; vacancies; powers and duties of Mayor; meetings; quorum.**
3 **[Amended 5-15-78 by HR No. 3-78, Amended 9-23-92 by HR No. 3-92, Amended 12-7-98 by**
4 **HR 98-07, Amended 2-19-15 by HR 2015-02]**

5 A. The Council shall meet on the ~~third~~ first Monday in ~~May~~ June of each election year herein
6 provided for, when those members just elected shall qualify by taking the oath required by the
7 provisions of § C12-1 of this Charter, and the Council shall proceed to organize by electing two
8 (2) of their number President and Vice President of the Council at the next regularly scheduled
9 meeting after the first Monday in June.

10 * * *

11 **§ C4-9. Conduct of elections. [Amended 12-19-83 by HR No. 21-83; 1-30-89 by HR No. 2-89;**
12 **2-20-07by HR 2007-03; 2-9-09 by HR 2009-01]**

13 A. Beginning in 2011 for regular City elections, Election Day shall be the ~~first~~ second Tuesday
14 in May of each year an Election for Mayor and/or Council regularly occurs. For any Special
15 Election the City Council shall set an appropriate day as the Election Day. In addition, the City
16 Council shall have the authority to authorize opening the polls to qualified voters on a specific
17 day or days close to, but in advance of, Election Day (advance voting day).

18 * * *

19 **§ C4-11. Vote count. [Amended 12-19-83 by HR No. 10-83, Amended 12-1-14 by HR 2014-**
20 **03, Amended 12-2-16 by HR 2016-02]**

21 Within ~~ten (10)~~ five (5) calendar days after the closing of the polls, the Board of Supervisors of
22 Elections shall determine the votes cast for each person, candidate or question and shall certify the
23 results of the election to the Clerk of the City, who shall record the results in the minutes of the
24 Council. Write-in votes for individuals not registered as candidates shall be counted. The
25 individual who meets the qualifications outlined in C2-2 of the City Charter and who has the
26 highest number of votes in the at large Mayoral election shall be declared elected as Mayor. The
27 individual who meets the qualifications outlined in C2-2 of the City Charter and who has the
28 highest number of votes in each ward shall be declared elected as Councilmember for that ward.

29 **Section 2:** That the date of the adoption of this Resolution is December 7, 2020, and that
30 the amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall
31 become effective on January, 26, 2021 (50 days after its passage), unless a proper petition for a
32 referendum hereon shall be filed by January 16 , 2021, and that an exact copy of this Resolution
33 shall be posted at the main municipal building and a fair summary of the Amendment shall be
34 published in a newspaper having general circulation in the City of Hyattsville not less than four
35 (4) times at weekly intervals within forty (40) days after passage of this Charter Amendment
36 Resolution.

37 **Section 3:** That as soon as the Charter Amendment hereby enacted becomes effective,
38 either as herein provided or following a referendum, the Clerk shall send separately to the
39 Department of Legislative Services, the following information concerning the Charter
40 Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any,

1 held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor
2 and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the
3 Charter Amendment.

4 **Section 4:** That the Clerk be, and is specifically enjoined and instructed to carry out the
5 provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk shall cause
6 to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the
7 newspaper in which the fair summary of the Amendment shall have been published; and (2)
8 records of mailing referred to in Section 3, and shall further complete and execute a Certificate of
9 Compliance.

10 **INTRODUCED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
11 Regular Meeting on December 7, 2020, at which meeting copies were available to the public for
12 inspection, and at which time a public hearing took place.

13 **ADOPTED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
14 Regular Meeting on December 7, 2020, at which meeting copies were available to the public for
15 inspection.

16
Adopted: _____

Attest: _____

Mayor

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18
19 { } indicate deletions

20 Underline/**bold**/**CAPS** indicate additions/amendments to additions