

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 5

Resolution No. 7-16

Introduced by Mr. Fink, Chairman
(by request of the County Executive)

By the County Council, March 7, 2016

A RESOLUTION ENTITLED

1 Charter Amendment – Effective Date of Ordinances – Appropriations
2

3 RESOLUTION proposing an amendment to the Charter of Anne Arundel County to
4 provide that ordinances related to transfers of appropriations under Charter Section 711,
5 supplementary appropriations under Charter Section 712, and amendments of the capital
6 budget under Charter Section 716 shall take effect from the date they become law
7

8 *Be it resolved by the County Council of Anne Arundel County, Maryland, That the*
9 *following amendment to the Anne Arundel County Charter is proposed for submission to the*
10 *qualified voters of the County at the General Election in November 2016:*
11

12 **Article III. The Legislative Branch**
13

14 **Sec. 307. Legislative Procedure.**
15

16 (i) **Effective Date of Ordinances.** Except as provided in Section 710 of this Charter for
17 the Annual Budget and Appropriation Ordinance and ordinances levying taxes or
18 assessments to support the budget, AND EXCEPT FOR ANY ORDINANCE RELATED TO
19 TRANSFERS OF APPROPRIATIONS UNDER CHARTER SECTION 711, SUPPLEMENTARY
20 APPROPRIATIONS UNDER CHARTER SECTION 712, AND AMENDMENTS OF THE CAPITAL
21 BUDGET UNDER CHARTER SECTION 716, any ordinance enacted by the Council shall take
22 effect forty-five days after it becomes law, unless declared to be effective on a later date.
23 ORDINANCES RELATED TO TRANSFERS OF APPROPRIATIONS UNDER CHARTER SECTION 711,
24 SUPPLEMENTARY APPROPRIATIONS UNDER CHARTER SECTION 712, AND AMENDMENTS OF
25 THE CAPITAL BUDGET UNDER CHARTER SECTION 716 SHALL TAKE EFFECT FROM THE DATE
26 THEY BECOME LAW. If an ordinance is an emergency ordinance as defined in Section 208(d)
27 or if an ordinance passed at an annual legislative session or a monthly legislative session-day
28 be declared by the County Council to be an emergency ordinance necessary for the
29 immediate preservation of the public peace, health, safety and welfare, it shall take effect
30 from the date it becomes law. An emergency ordinance shall not levy taxes, create revenue,
31 or grant a franchise or special privilege, or abolish or create any office or change any salary,
32 term or duty of any officer or create any vested right or interest or create or expand any
33 Capital Project, or increase the funding thereof (except in cases where the increase in funding

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 is required solely to meet cost escalation and does not affect the scope of the project as
2 originally budgeted).

3
4 **Sec. 308. The Referendum.**

5
6 (a) **Scope of the Referendum.** The people of Anne Arundel County reserve to
7 themselves the power known as "The Referendum," by petition to have submitted to the
8 registered voters of the County, to approve or reject at the polls, any ordinance or part of any
9 ordinance of the County Council. The referendum petition against any such ordinance shall
10 be sufficient if signed by ten per centum of the qualified voters of the County calculated upon
11 the whole number of votes cast in the County for Governor at the last preceding
12 gubernatorial election. Such petition shall be filed with the Board of Supervisors of Elections
13 of Anne Arundel County within forty-five days after the ordinance becomes law. If such a
14 petition is filed as aforesaid, the ordinance or part thereof to be referred shall not take effect
15 until thirty days after its approval by a majority of the qualified voters of the County voting
16 thereon at the next ensuing election held for members of the House of Representatives of the
17 United States; provided, however, that if more than one-half but less than the full number of
18 signatures required to complete any referendum petition against such ordinance be filed
19 within forty-five days from the date it becomes law, the time for the ordinance to take effect
20 and the time for filing the remainder of signatures to complete the petition shall be extended
21 for an additional thirty days with like effect. Any emergency ordinance shall remain in force
22 from the date it becomes law notwithstanding the filing of such petition, but shall stand
23 repealed thirty days after having been rejected by a majority of the qualified voters voting
24 thereon. No ordinance making any appropriation for current expense for maintaining the
25 County government, or for maintaining or aiding any public institution, not exceeding the
26 next previous appropriation for the same purpose, shall be subject to rejection or repeal under
27 this section. The increase in any such appropriation for maintaining the County government
28 or for maintaining or aiding any public institution [shall only take effect as in the case of
29 other ordinances, and such increase, or any part thereof,] specified in the petition may be
30 referred to a vote of the people of the County upon petition as above provided.

31
32 *And be it further resolved,* That the following question is adopted for submittal to the
33 qualified voters of the County at the General Election in November 2016 for their adoption
34 or rejection:

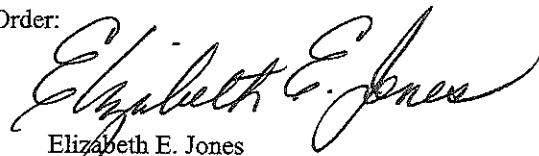
35
36 "To amend the Anne Arundel County Charter to provide that ordinances related to
37 transfers of appropriations under Charter Section 711, supplementary appropriations under
38 Charter Section 712, and amendments of the capital budget under Charter Section 716 shall
39 take effect when they become law."

40
41 *And be it further resolved,* That this question shall be designated as Question "___" on
42 the ballot at the General Election in November 2016.

43
44 *And be it further resolved,* That if the majority of qualified votes cast in the election are
45 for the Charter Amendment, this amendment shall stand adopted from and after the 30th day
46 following the election.


READ AND PASSED this 4th day of April, 2016

By Order:



Elizabeth E. Jones
Administrative Officer

I HEREBY CERTIFY THAT RESOLUTION NO. 7-16 IS TRUE AND CORRECT AND DULY ADOPTED
BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY.



Derek J. Fink
Chairman