



**TOWN OF PORT DEPOSIT
RESOLUTION 28-2017**

A Resolution of the Mayor and Council of the Town of Port Deposit, Cecil County,
Maryland titled:

CHARTER AMENDMENT – REVISIONS TO ARTICLE XIII, Section 1304 MISDEMEANORS.

WHEREAS, the Mayor and Town Council seek to amend the Charter of the Town of Port Deposit in order to promote more efficient and effective governance within the Town’s incorporated boundaries

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Council of the Town of Port Deposit as permitted under Article XI-E of the Constitution of Maryland and Article 23A of the Annotated Code of Maryland, as amended from time to time, that the provisions of the Charter of the Town of Port Deposit, Article XIII, Section 1304, Misdemeanors as they now exist are amended as follows, with eliminated content in [brackets] and added content in **bold UPPECASE**.

SECTION 1304. MISDEMEANORS

Every act or omission which by ordinance, is made a misdemeanor under the authority of this Charter, unless otherwise provided shall be punishable upon conviction before any trial magistrate or in the Circuit Court for the county within which the offense is committed by a fine not exceeding [one hundred dollars (\$100.00 or imprisonment for thirty (30) days in the county jail] **ONE THOUSAND DOLLARS (\$1,000.00) OR IMPRISONMENT NOT EXCEEDING SIX (6) MONTHS**, or both, [in the discretion of the court or trial magistrate] **SUCH FINE OR IMPRISONMENT**. The party aggrieved shall have the right to appeal as is now provided under the general laws of the State. Where the act or omission is of a continuing nature and is persisted in, a conviction for one

offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction. **RES. NO. 28-2017**

That the aforesated Section, as revised and attached hereto and incorporated by reference is hereby adopted as the new Section 1304 to Article XIII.

BE IT HEREBY FURTHER RESOLVED, that the effective date of the adoption of this resolution is May 2, 2017; and the amendment of the Charter of the Town of Port Deposit hereby enacted shall become effective on June 22, 2017, unless a proper petition for referendum hereon shall be filed as permitted by Article 23A, Section 13 of the Annotated Code of Maryland, , provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin Board in the Town Office until June 12, 2017 and provided a copy of the title of this Resolution and a fair summary of the Charter Amendment shall be published in a newspaper of general circulation in the municipal corporation once a week for four weeks on May 18, 2017, May 25, 2017, June 1, 2017 and June 8, 2017.

BE IT HEREBY FURTHER RESOLVED, that the Town Administrator is hereby specifically instructed to carry out the provisions of this resolution; and as evidence of such compliance, the Town Administrator shall cause to be maintained appropriate certificates of publication of the newspaper in which the title of the Resolution and the fair summary of the Charter Amendment shall have been published. If a favorable referendum is held on the Charter Amendment, the Mayor and Council shall proclaim the Charter Amendment hereby enacted to be approved by the voters; and the Charter Amendment shall become effective on the date provided by law.

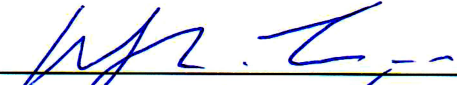
BE IT HEREBY FURTHER RESOLVED, that within ten (10) days of this Charter Amendment becoming effective, either as provided herein or following a referendum, the Town

Administrator shall send by registered mail to the Maryland Department of Legislative Services a certified copy of this Resolution showing the number of Councilmembers voting for and against it and a report on the votes cast for and against the Amendment hereby enacted at any referendum thereon and the date of such referendum vote.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a regular meeting of the Mayor and Council of the Town of Port Deposit on May 2, 2017, 4 members of the Town Council voting in affirmation, 0 members of the Town Council voting in the negative, 0 members of the Town Council abstaining, and 2 members of the Town Council absent; and the said Resolution becomes effective in accordance with the law on the 22nd day of June, 2017.

ADOPTED this 2 day of May, 2017

MAYOR AND COUNCIL of the TOWN of PORT DEPOSIT, MARYLAND


Wayne L. Tome, Sr., Mayor


John Leeds, Deputy Mayor


ATTEST:


Charles Herring, Esquire


Kevin Brown, Council


John Haines, Council


Thomas Knight, Council


Robert A. Kuhs, Council


Kate Rodgers, Council