

# CITY COUNCIL

## READ FILE COVER SHEET

Subject: **Charter Resolution 294 concerning Requiring Budget Amendments by Ordinance**

**(Public Hearing)**

Date: **4/18/2023**

**Notice:** Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- FYI  
 **Read and Comment as Needed**  
 **Action Required by May 15, 2023**  
 In Confidential File Drawer

Approve:

Casi Boyer  Yes  No  No Comment

Comment: \_\_\_\_\_

Dave Martin  Yes  No  No Comment

Comment: \_\_\_\_\_

Jim Ringsaker  Yes  No  No Comment

Comment: \_\_\_\_\_

Jason Robertson  Yes  No  No Comment

Comment: \_\_\_\_\_

Tammy Lynn Schneegas  Yes  No  No Comment

Comment: \_\_\_\_\_

Carolyn Zinner  Yes  No  No Comment

Comment: \_\_\_\_\_

Note: N/A

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

Charter Amendment Resolution 294

Introduced by Council President Ringsaker

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND THE HAVRE DE GRACE CITY CHARTER SECTION 19, AMENDING IN PART SECTION 37 F. AND 19. A OF THE CITY CHARTER, GENERALLY PERTAINING TO BUDGET AMENDMENTS; REPEALING THE REQUIREMENT THAT BUDGET AMENDMENTS BE APPROVED BY RESOLUTION; REQUIRING BUDGET AMENDMENTS BE APPROVED BY ORDINANCE**

On: April 17, 2023

at: 7:00 p.m.

Charter Amendment Resolution introduced, read first time, ordered posted and public hearing scheduled.

**PUBLIC HEARING**

A Public Hearing is scheduled for May 15, 2023 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

**[Bold Brackets]** indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

32 NOW, THEREFORE, it is determined, decided, and resolved by the City Council that the  
33 foregoing is hereby approved.  
34

35 1. Section 37 F. of the City Charter is to be amended as follows, with the words underscored to  
36 be added and the words in **[bold and brackets]** to be deleted.  
37

38 Repealing in part section 37 F. and adding in part to section 37 F. Budget Ordinance; how made.  
39

40 F. Funds not encumbered at the end of the fiscal year shall be directed to fund balance, considered  
41 anticipated revenue for the following fiscal year, or may be expended after passage of a budget  
42 amendment approved in the form of a **[resolution] budget amendment ordinance**. No public  
43 money may be expended without having been appropriated by the budget ordinance or by the  
44 Council by a budget amendment. Budget amendments shall be in the form of an ordinance. Budget  
45 amendment ordinances may be passed after receiving a public hearing and passed upon second  
46 reading. Budget amendment ordinances may be adopted on second reading at a meeting on the  
47 same date at which it received a public hearing. Interdepartmental transfers and transfers between  
48 the three (3) expenditure categories noted in Section 37B, including those within a department,  
49 can only be approved by the passage of a budget amendment **[resolution] ordinance**.  
50

51 2. Section 19 A. of the City Charter is to be amended as follows, with the words underscored to  
52 be added and the words in bold and brackets to be deleted.  
53

54 Repealing in part section 19 A. and adding in part to section 19 A. Resolutions and Ordinance;  
55 passage, veto power.  
56

57 All resolutions, except Charter amendment resolutions, shall be adopted by a majority of  
58 affirmative votes of the City Council members present and voting by roll call vote. All Charter  
59 amendment resolutions shall be introduced by a majority voice vote and then shall be adopted by  
60 at least four affirmative votes of the City Council members by roll call. Any Charter amendment  
61 purporting to change the term of office of the Mayor or the City Council shall be effective only  
62 after approval of a majority of legal voters casting ballots at a general or special election held for  
63 that purpose. Public notice of such Charter change shall be made in a newspaper having general  
64 circulation in the City, published for three (3) consecutive weeks, once per week, immediately  
65 prior to the election. All ordinances shall be introduced for a first reading by a majority voice vote  
66 and then shall be adopted on first reading by at least four affirmative votes of the City Council  
67 members by roll call. All ordinances shall be introduced for a second reading by a majority voice  
68 vote and then shall be adopted by at least four affirmative votes of the City Council members by  
69 roll call. No ordinance shall have a second reading and be adopted at the meeting at which it is  
70 first introduced or at a meeting held on the same day as the public hearing. In cases of an  
71 emergency the provision that an ordinance may not be adopted at a meeting at which it is first  
72 introduced or on the same day as the public hearing may be suspended by the affirmative vote of  
73 at least four members of the City Council by roll call. This section does not apply to a budget  
74 amendment ordinance.  
75  
76  
77

**Charter Amendment Resolution 294**

78 ADOPTED by the City Council of Havre de Grace, Maryland this \_\_ day of \_\_\_\_\_, 2023.

79  
80 SIGNED by the Mayor and attested by the Director of Administration this \_\_\_\_ day of \_\_\_\_\_,  
81 2023.

82  
83

84 ATTEST: MAYOR AND CITY COUNCIL  
85 OF HAVRE DE GRACE

86  
87

88 \_\_\_\_\_  
89 Stephen J. Gamatoria William T. Martin  
90 Director of Administration Mayor

91

92 Introduced/First Reading: 4/17/2023

93 Public Hearing:

94 Second Reading/Adopted:

95  
96

97 Effective Date:

98 The effective date is the 50<sup>th</sup> day after adoption by City Council if a referendum is not presented  
99 40 days after the Charter amendment. Council cannot suspend the time requirements as this is a  
100 State law requirement.

