

**COUNCIL OF THE CITY OF ABERDEEN**  
**Charter Amendment Resolution No. 10-CR-01**

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<b>Introduced By:</b>	<b>Mayor Michael E. Bennett</b>
<b>Date Introduced:</b>	<b>April 26, 2010</b>
<b>Date Adopted:</b>	<b>April 26, 2010</b>
<b>Date Effective:</b>	<b>June 15, 2010</b>

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**A CHARTER AMENDMENT RESOLUTION** concerning

**CHARTER AMENDMENT – ADOPTION OF NEW CHARTER**

1 **FOR** the purpose of repealing the Charter of the City of Aberdeen and adopting a new  
2 Charter for the municipal corporation known as the City of Aberdeen to stand in the  
3 place of the Charter so repealed; for the purpose of reestablishing and continuing a  
4 form of government for the municipal corporation know as the City of Aberdeen  
5 providing for the continuation of existing boundaries of the municipal corporation,  
6 subject to future alterations; providing for the election and appointment of officials and  
7 employees of the municipal corporation, subject to future alterations; specifying the  
8 powers, rights and obligations of the municipal corporation and its officials and  
9 employees; providing for the borrowing of funds and the creation of debts and other  
10 obligations by and on behalf of the municipal corporation for various purposes, and  
11 dealing with other taxation and financial matters of the municipal corporation;  
12 providing for the continuation of ordinances and resolutions enacted by the Council of  
13 the City of Aberdeen prior to the adoption of this Charter except under certain  
14 circumstances; providing that the adoption of this Charter is not intended to alter  
15 ownership, title or control of property in which the municipal corporation had an  
16 interest prior to its adoption; providing that the adoption of this Charter does not affect  
17 any liabilities, debts or other obligations entered into or incurred by or on behalf of the  
18 municipal corporation prior to its adoption and that such liabilities, debts and other  
19 obligations shall continue to be fulfilled and satisfied by the municipal corporation;  
20 providing that the terms of office and incumbency of existing City officials and the  
21 continuity of units of the City government are not affected by the adoption of this  
22 Charter; and all such and other matters generally relating to the continued existence and  
23 operation of the municipal corporation know as the City of Aberdeen.

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24                   **SECTION I. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**  
25 **ABERDEEN**, that the Charter of the City of Aberdeen as, and in whatever form, it now exists,  
26 be and the same is hereby repealed, and a new Charter for the municipal corporation know as the  
27 City of Aberdeen, attached hereto and incorporated herein by reference, is hereby adopted to  
28 stand in the place of the Charter so repealed.

29                   **SECTION II. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE**  
30 **CITY OF ABERDEEN**, that all ordinances and resolutions enacted by the Council of the City  
31 of Aberdeen prior to the date upon which the Charter adopted by this Resolution takes effect  
32 shall thereafter continue in full force and effect, except to the extent that the authority, either  
33 expressed or implied, for such ordinance or resolution is not granted to the City of Aberdeen by  
34 the Charter adopted by this Resolution or by other law, and further except to the extent that any  
35 such ordinance or resolution may irreconcilably conflict with any provision of the Charter  
36 adopted by this Resolution.

37                   **SECTION III. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF**  
38 **THE CITY OF ABERDEEN**, that this Resolution repealing the Charter of the City of  
39 Aberdeen and adopting a new Charter for the municipal corporation known as the City of  
40 Aberdeen shall not alter ownership, title or control of any property in which the municipal  
41 corporation had an interest prior to the effective date of the Charter adopted by this Resolution;  
42 nor shall the adoption of this Resolution adopting a new Charter for the municipal corporation  
43 affect any liabilities, debts or other obligations entered into or incurred by or on behalf of the  
44 municipal corporation know as the City of Aberdeen prior to the effective date of the Charter and  
45 all such liabilities, debts and other obligations shall continue to be fulfilled and satisfied by the  
46 municipal corporation; nor shall the adoption of this Resolution adopting a new Charter for the  
47 City of Aberdeen affect the term of office or incumbency of the Mayor, any Council member, or  
48 any appointed or elected member of any department, office, board, commission, committee,  
49 agency or other unit of the City, and the continuity of every department, office, board,  
50 commission, committee, agency, or other unit of the City government is retained, it being the  
51 intent of the City Council in the adoption of this Resolution that the affairs of the municipal  
52 corporation be continued without interruption and without substantial changes in the form or  
53 manner of government under the Charter adopted by this Resolution.

54                   **SECTION IV. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF**  
55 **THE CITY OF ABERDEEN**, that if any provision of this Resolution or the Charter adopted by  
56 this Resolution, or the application thereof to any person or circumstance is held invalid for any  
57 reason, such invalidity shall not affect the other provisions or any other application of this  
58 Resolution or of the Charter which can be given effect without the invalid provisions or  
59 application, and to this end, all the provisions of this Resolution and of the Charter are hereby  
60 declared to be severable.

61           **SECTION V. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE**  
62 **CITY OF ABERDEEN**, that the amendment of the Charter of the City of Aberdeen hereby  
63 enacted shall become effective on the fiftieth (50) day following its adoption unless a proper  
64 petition for referendum hereon shall be filed as permitted by law, provided a complete and exact  
65 copy of this Resolution shall be continuously posted in a conspicuous place in City Hall for a  
66 period of at least forty (40) days after the adoption of this Resolution, and provided further that a  
67 copy of the title of this Resolution shall be published in a newspaper of general circulation in the  
68 City of Aberdeen, at weekly intervals in each of the four (4) successive weeks, the last date of  
69 such publication being not later than forty (40) days after the adoption of this Resolution.

70           **SECTION VI. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF**  
71 **THE CITY OF ABERDEEN**, that the City Clerk is hereby specifically commanded to carry out  
72 the provisions of Section V, hereof, and, as evidence of such compliance, the City Clerk shall  
73 cause to be maintained appropriate certificates of publication from the newspaper or newspapers  
74 in which the title of the Resolution shall have been published. If a favorable referendum is held  
75 on the Charter change, the Mayor shall proclaim the Charter change hereby enacted to have been  
76 approved by the voters and the Charter Amendment shall become effective on the date provided  
77 by law.

78           **SECTION VII. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF**  
79 **THE CITY OF ABERDEEN**, that as soon as the Charter Amendment hereby enacted shall  
80 become effective, either as provided herein or following a referendum, the City Clerk shall send  
81 by mail, to the Department of Legislative Services of Maryland, a clear certified copy of this  
82 Resolution showing the number of Council members voting for and against it and a report on the  
83 votes cast for or against the amendment hereby enacted at any referendum thereon and the date  
84 of such referendum.

85           The above Charter Amendment was enacted by the foregoing Resolution which was  
86 passed at a regular meeting of the Council of the City of Aberdeen on April 26, 2010, four (4)  
87 members of the City Council voting in the affirmative, one (1) member of the City Council  
88 voting in the negative, zero (0) members of the City Council abstaining, and zero (0) members of  
89 the City Council absent, and the said Resolution becomes effective accordance with the law on  
90 the 15<sup>th</sup> day of June, 2010.

**ADOPTED** this 26<sup>th</sup> day of April, 2010.

**COUNCIL OF THE CITY OF ABERDEEN**

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**Michael E. Bennett, Mayor**

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**Ruth E. Elliott, Councilwoman**

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**Bruce E. Garner, Councilman**

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**Sandra J. Landbeck, Councilwoman**

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**Ruth Ann Young, Council President**

**ATTEST:**

**SEAL:**

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**Monica A. Correll, City Clerk**

**Date** \_\_\_\_\_