

**RESOLUTION FOR AN AMENDMENT
TO THE CHARTER OF THE
CITY OF CAMBRIDGE, MARYLAND**

CHARTER RESOLUTION NO. CR-2016-03

A RESOLUTION OF THE COMMISSIONERS OF CAMBRIDGE TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE BY AMENDING SECTION 3-5 ENTITLED "COMMISSIONERS; NUMBER, ELECTION, TENURE, QUALIFICATIONS."

WHEREAS, pursuant to Article XI-E, Section 4 of the Constitution of Maryland, Section 4-301 et seq. of Local Government Article of the Annotated Code of Maryland, and the Charter of the City of Cambridge, the Commissioners are authorized to amend the City Charter, and hereby desire to amend Section 3-5 of the City Charter to provide for a qualifications of Commissioners, including a specific period of residency prior to the date of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF CAMBRIDGE, that the following amendment to the Charter of the City of Cambridge is proposed, and upon completion of the requirements of Article XI-E, Section 4 of the Constitution of Maryland, Section 4-301 et seq. of Local Government Article of the Annotated Code of Maryland, and the Charter of the City of Cambridge, Section 3-5 of the Charter of the City of Cambridge shall be amended to read as follows:

Sec. 3-5. Commissioners; number, election, tenure, qualifications.

The corporate authority, government, rights, powers and prerogatives of Cambridge shall be vested in and exercised by five commissioners, who shall be known as "The Commissioners of Cambridge," and shall be elected as in this sub-title is provided. The terms of office of all commissioners elected at any regular election held under this sub-title shall be for a term of four years and until their successors are duly elected and qualified.** The said commissioners shall be elected by ballot at a municipal election conducted in said town and every qualified voter shall be entitled to vote for ~~[five]~~ one (1) commissioner[s], provided, however, that no two commissioners shall reside in the same ward. No one shall be eligible to be elected to the office of commissioner unless ~~[on the day of election wherein he is elected]~~ he or she meets the following qualifications:

**Note: Pursuant to the terms of Charter Resolution CR-2016-04, approved on July 11, 2016, the commissioners elected to office on July 12, 2016 shall serve until January, 2021 or until their successors take office.

(a) he or she shall be a qualified voter and entitled to vote at the municipal election of said town, ~~[and is then at least]~~ (b) as of the date of the election, he or she shall have attained the age of 25 years, [and] (c) he or she has been a bona fide resident of said city for one year prior to the date of the election and (d) he or she has been a bona fide resident (as established hereinbelow) of his or her ward for a period of at least six (6) months prior to the date of the election. **To qualify to remain in office, each commissioner elected to office shall remain a bona fide resident of the ward to which he or she was elected, for the full duration of his or her term of office. In the event that the residence of a commissioner is damaged, destroyed, sold or the lease to the property is terminated, or the property is undergoing extensive renovation, thereby causing the said commissioner to move from the premises, said commissioner, to maintain his or her status as a bona fide resident of the ward, if unable to immediately move to another residence within the ward, shall have Six (6) months or Twenty Four (24) months to relocate to a residence within the ward that he/she represents.**

The term “bona fide resident” as used herein, shall mean the principal residence of the commissioners, and shall be established by submission of the following documentation to the Supervisor of Elections:

1. **A sworn affidavit at the time of qualifying as a candidate that provides the then current address of the “bona fide” residence of the candidate, which residence shall be the location where the candidate actually lives and resides, and which constitutes his/her principal residence; and**
2. **Documentation of proof of his/her principal residence within the ward for which he/she is a candidate for election, at least six (6) months prior to the election date, and as of the date of filing of statement of candidacy, including:**
 - (a) **Maryland voter’s registration;**
 - (b) **current valid driver’s license or Identification Card, issued by the Motor Vehicle Administration of Maryland;**
 - (c) **real property tax receipt, or a copy of lease agreement for the residence, or an affidavit from the property owner or Lessor confirming, under oath, that the property is the principal residence of the candidate; and**
 - (d) **two (2) of the following (with any personal or financial information and social security numbers redacted):**
 - (i) **bank statement;**
 - (ii) **utility bill;**

(iii) W-2 form; and/or

(iv) I.R.S. 1099 form.

3. If after elected, a commissioner is forced to move out of his or her Ward due to damage, destruction, extensive renovation, or sale of their residence or termination of the lease to the residence, current documentation pursuant to section 2 above shall be provided upon establishment of a new residence within the Ward for which he or she was elected.

AND BE IT FURTHER RESOLVED that the effective date of this Charter Amendment shall be March, 2017.

AND BE IT FURTHER RESOLVED, that upon passage or adoption of this Resolution by The Commissioners of Cambridge, the City Manager shall (a) post a complete and exact copy of this Resolution, containing the proposed amendments, at the City office on the public bulletin board for a period of at least forty (40) consecutive days following its adoption; and (b) cause a fair summary of the proposed amendments, as contained herein, to be published not less than four (4) times, at weekly intervals within a period of at least forty (40) days after adoption of the above Resolution, in a newspaper of general circulation in the City.

AND BE IT FURTHER RESOLVED, that this Resolution, having been passed by the Commissioners of the City of Cambridge on the _____ day of JANUARY, 2017, shall be considered a part of the City Charter, according to the terms of the amendments, and in all respects shall become effective upon the fiftieth (50th) day after being so ordained or passed, that is to say becoming effective on the _____ day of March, 2017, unless a proper Petition for Referendum shall have been filed as provided by Section 4-304 of Local Government Article of the Annotated Code of Maryland, on or before the fortieth (40th) day after passage of this Resolution.

AND BE IT FUTHER RESOLVED, that the Commissioners and the City Manager shall cause to be affixed to this Charter Amendment Resolution a certificate of publication of the newspaper in which such fair summary of the amendments appearing shall have been published and, if there is no timely and properly filed Petition for Referendum, the Commissioners of Cambridge shall declare the Charter Amendment herein contained to be effective on the effective date as first indicated above by properly executing this Resolution in the space provided below.

AND BE IT FUTHER RESOLVED, that if a proper Petition for Referendum is timely filed, the Commissioners of Cambridge shall comply with the requirements of Section 4-304 of the Local Government Article of the Annotated Code of Maryland, and shall set a date and hours for the Referendum on this Charter Amendment Resolution.

AND BE IT FURTHER RESOLVED, before the Charter Amendments hereby proposed and passed shall become effective, either as herein provided or following a referendum, the Commissioners of Cambridge shall promptly register the Charter Amendments with the Director

of the Hall of Records by sending by registered mail, return receipt requested to the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Commissioners voting for and against the Charter Amendment hereby enacted or the number of votes cast in any referendum hereon, and the effective date of the Charter Amendment, and affixing the return receipt hereto.

THIS RESOLUTION HAVING BEEN INTRODUCED unto the Commissioners of Cambridge at a regular meeting of the Commissioners of Cambridge on the _____ day **January**, in the year Two Thousand and Seventeen (2017), and approved by a majority vote on the _____ day of **January** in the year Two Thousand and Seventeen (2017)

ATTEST: **THE COMMISSIONERS OF CAMBRIDGE**

Sandra Tripp-Jones
City Manager

By: _____ (SEAL)
Victoria Jackson-Stanley
Mayor

NOTE: Word(s) being underscored in bold type are the proposed new word(s) to be added to the City Charter. Words or provisions enclosed in boldface brackets are to be repealed from the City Charter.

CERTIFICATIONS

CHARTER AMENDMENT RESOLUTION NO. CR-2016-03 HAVING BEEN PASSED by a majority yea vote of **THE COMMISSIONERS OF CAMBRIDGE**, on the _____ day of **January, 2017** as follows:

Commissioners casting a yea vote for the Resolution:

Commissioners casting a nay vote for the Resolution:

I HEREBY CERTIFY that Charter Amendment Resolution No. **CR-2016-03** was passed by a yea and nay vote of The Commissioners of Cambridge, by a vote of _____ () in favor of the Resolution on the _____ day of **January, 2017**.

ATTEST: **THE COMMISSIONERS OF CAMBRIDGE**

Sandra Tripp-Jones
City Manager

By: _____ (SEAL)
Victoria Jackson-Stanley
Mayor

I HEREBY CERTIFY that an exact copy of the foregoing Charter Amendment Resolution No. **CR-2016-03** was posted on the bulletin board in the Town Office on the _____ day of **January**, 2017, at **2:00** p.m. and was there continuously posted for at least forty (40) consecutive days, said posting having terminated on the ____ day of **March**, 2017 at **2:00** p.m.

WITNESS:

Robert S. Collison, City Attorney

Sandra Tripp-Jones, City Manager (SEAL)

I HEREBY CERTIFY that a summary of the proposed Charter Amendment Resolution No. **CR-2016-03** was published in the Banner, a newspaper of general circulation in the Town of Cambridge not less than four (4) times, at weekly intervals within a period of forty (40) days after the adoption of the above Resolution, as evidenced by the attached Certificate of Publication issued by the newspaper. Said dates of publication were as follows: _____

WITNESS:

Sandra Tripp-Jones, City Manager (SEAL)

I HEREBY CERTIFY that the 2016 Charter Amendment enacted by the foregoing Charter Amendment Resolution No. **CR-2016-03** became effective on the _____ day of **March** 2017, without a Petition for Referendum and Referendum Vote having been held thereon.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Sandra Tripp-Jones
City Manager

By: _____ (SEAL)
Victoria Jackson-Stanley
Mayor

I HEREBY CERTIFY that a copy of the 2016 Charter Amendment enacted by the foregoing Charter Amendment Resolution No. **CR-2016-03**, was mailed by certified mail, return receipt requested, to the Department of Legislative Reference of Maryland in accordance with Sections 4-109 and 4-308 of the Local Government Article of the Annotated Code of Maryland on

the ____ day of March, 2017, as evidenced by the attached receipt from the U.S. Postal Service.

WITNESS:

Robert S. Collison, City Attorney

Sandra Tripp-Jones, City Manager (SEAL)