

**Approved DRAFT Charter Amendments  
To Proceed to Public Hearing**  
*Approved on April 24, 2018*

**AMENDMENT 1 to Frederick County Charter**

**Introduced By:** Council President Bud Otis &  
Council Member Tony Chmelik (District 2)  
**Introduction Date:** April 24, 2018  
**Adopted/Rejected/Withdrawn:** Adopted

**Frederick County Charter Article 4, Executive**

**411. County Attorney**

(a) The Executive shall appoint a County Attorney, subject to confirmation by the Council. The County Attorney shall be the chief legal officer of the County and conduct all the law business of the County. The County Attorney shall be a legal advisor to the Executive, the Council, all County departments, agencies, offices and other instrumentalities of the Government. The County Attorney shall serve at the pleasure of the Executive. **AND THE COUNCIL. THE COUNTY ATTORNEY MAY BE REMOVED FROM OFFICE BY EITHER: (1) THE EXECUTIVE WITH THE CONSENT OF FIVE (5) MEMBERS OF THE COUNCIL; OR (2) UPON A VOTE OF AT LEAST SIX (6) COUNCIL MEMBERS.**

*Approved to move to public hearing on a unanimous vote.*

**AMENDMENT 3 to Frederick County Charter**

**Introduced By:** Council Member Chmelik (District 2)  
**Introduction Date:** April 24, 2018  
**Adopted/Rejected/Withdrawn:** Adopted

**Frederick County Charter Article 5, Budget and Finance**

**506. Action on the Budget by the Council**

(a) After a public hearing, the Council may decrease, **increase** or delete any items in the Budget, except those required by State law, by provisions for debt services on obligations then outstanding for estimated cash deficits. The Council shall have no power to change the form of the Budget as submitted by the Executive, to alter revenue estimates, or to

increase ~~any expenditure the Budget~~ recommended by the Executive, unless expressly provided in State law and except to correct mathematical errors. **An increase of any item shall have an offsetting and equal decrease.**

(b) A decrease, **addition**, or deletion of one or more items in the Budget may not constitute a change of substance in the proposed Budget if the decrease, **addition**, or deletion constitutes less than one percent change in the total Budget or less than fifty percent decrease in any one line item in the Budget.

*Approved to move to public hearing on a unanimous vote.*

#### **AMENDMENT 4 to Frederick County Charter**

**Introduced By:** Council Member Fitzwater (District 4)  
**Introduction Date:** April 24, 2018  
**Adopted/Rejected/Withdrawn:** Adopted

#### **Frederick County Charter Article 7, Miscellaneous**

##### **705. COLLECTIVE BARGAINING**

**THE COUNCIL SHALL PROVIDE FOR COLLECTIVE BARGAINING FOR NON-MANAGEMENT COUNTY EMPLOYEES OF WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.**

*Approved to move to public hearing on a 6-1 vote, with Otis, Keegan-Ayer, Donald, Chmelik, Fitzwater & Shreve in support and Delauter opposed.*

#### **AMENDMENT 5 to Frederick County Charter**

**Introduced By:** Council Member Keegan-Ayer (District 3)  
**Introduction Date:** April 24, 2018  
**Adopted/Rejected/Withdrawn:** Adopted

#### **Frederick County Charter Article 3, Legislative Process**

##### **307. Effective Date of Laws**

(a) The Annual Budget and Appropriations Ordinance shall take effect on the first day of the fiscal year to which it applies. All other laws, **EXCEPT FOR EXPEDITED LEGISLATION**, shall take effect sixty calendar days after enactment, except in the event a law provides for a later effective date or is referred to the voters under Section 308 of this Charter.

**(B) EXPEDITED LEGISLATION IS LEGISLATION CONTAINING A SECTION DECLARING THAT IT IS NECESSARY FOR THE IMMEDIATE PROTECTION OF THE PUBLIC HEALTH, SAFETY, OR WELFARE AND HAS THE SAME MEANING AS “EMERGENCY LEGISLATION” IN ARTICLE XI-A, SECTION 3 OF THE MARYLAND CONSTITUTION.**

**(C) EXPEDITED LEGISLATION SHALL TAKE EFFECT ON THE DATE IT IS ENACTED UNLESS A DIFFERENT DATE IS PRESCRIBED IN THE LEGISLATION.**

**308. Referendum**

**(d) Whenever a petition complying with all the provisions of law and this Charter is filed, the referred law, or the referred portion of law, **OTHER THAN EXPEDITED LEGISLATION**, may not take effect until thirty days after approval by a majority of voters. **EXPEDITED LEGISLATION SHALL REMAIN IN EFFECT FROM THE DATE IT BECOMES LAW NOTWITHSTANDING THE FILING OF A PETITION FOR REFERENDUM, BUT SHALL BE REPEALED THIRTY DAYS AFTER ITS REJECTION BY A MAJORITY OF THE REGISTERED VOTERS VOTING ON THE QUESTION.****

*Approved to move to public hearing on a 4-3 vote, with Otis, Keegan-Ayer, Donald & Fitzwater in support and Chmelik, Delauter & Shreve opposed.*