

1           **MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE**

2                           **CHARTER AMENDMENT RESOLUTION NO. 2022-04**

3           **A RESOLUTION OF THE MAYOR AND COMMISSIONERS OF THE TOWN OF**  
4 **PERRYVILLE, MARYLAND, TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF**  
5 **THE TOWN OF PERRYVILLE TO ALTER CERTAIN TERMINOLOGY RELATING TO**  
6 **THE MAYOR AND COMMISSIONERS OF THE TOWN AND OTHER ARCHAIC**  
7 **TERMINOLOGY; ALTERING CERTAIN PROVISIONS OF THE CHARTER RELATING TO**  
8 **THE TOWN’S PERSONNEL SYSTEM; PROVIDING FOR THE APPOINTMENT OF A**  
9 **TOWN ADMINISTRATOR AND SPECIFYING THE DUTIES AND RESPONSIBILITIES OF**  
10 **THE ADMINISTRATOR; RENUMBERING CERTAIN PROVISIONS; AND GENERALLY**  
11 **RELATING TO AMENDMENTS TO THE CHARTER OF THE TOWN OF PERRYVILLE.**

12 **BY**     repealing and reenacting, with amendments  
13           Charter of the Town of Perryville  
14           (as published in the Perryville Town Code)  
15           Article VII, Personnel  
16           Sections C7-1, C7-2, C7-3, C7-4, C7-5 and C7-6

17  
18 **BY**     adding  
19           Charter of the Town of Perryville  
20           (as published in the Perryville Town Code)  
21           Article VII, Personnel  
22           Section C7-3  
23  
24

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW  
((Double Parenthesis)) indicate matter deleted from existing law.  
Underlining indicates amendments to bill.  
~~Strike-Out~~ indicates matter stricken from bill by amendment or  
deleted from the law by amendment.  
\*\*\* indicates matter not affected by this Ordinance and omitted

25  
26  
27 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN**  
28 **OF PERRYVILLE** that Sections C7-1, C7-2, C7-3, C7-4, C7-5 and C7-6 of Article VII, Personnel, of  
29 the Charter of the Town of Perryville (as published in the Perryville Town Code), are repealed and  
30 reenacted, with amendments, to read as follows:

**ARTICLE VI**  
**Finance**

**§ C7-1. Town Attorney.**

There shall be a Town Attorney appointed by the MAYOR AND Commissioners. ((He)) THE TOWN ATTORNEY shall serve at the pleasure of the MAYOR AND Commissioners. ((His)) THE TOWN ATTORNEY'S compensation shall be determined by the MAYOR AND Commissioners. The Town Attorney shall be a member of the bar of the Maryland Court of Appeals. The Town Attorney shall be the legal advisor of the Town and shall perform such duties in this connection as may be required by the Commissioners. The Town shall have the power to employ other legal consultants as it deems necessary from time to time.

**§ C7-2. Authority to employ personnel.**

The MAYOR AND Commissioners shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other state law and to operate the Town government. THE MAYOR AND COMMISSIONERS SHALL APPOINT A TOWN ADMINISTRATOR, AND THE MEMBERSHIP OF ALL BOARDS AND COMMISSIONS OF THE TOWN. ALL EMPLOYEES SUBORDINATE TO THE TOWN ADMINISTRATOR SHALL BE EMPLOYED AND REMOVED FROM EMPLOYMENT CONSISTENT WITH LAW AND IN ACCORDANCE WITH THE RULES AND REGULATIONS OF ANY PERSONNEL MERIT SYSTEM WHICH MAY BE ADOPTED BY THE MAYOR AND COMMISSIONERS.

**§ ((C7-3)) C7-4. Merit system for appointments and promotions.**

The Town may provide by ordinance or resolution for appointment and promotions in the administrative service on the basis of merit and fitness. To carry out this purpose, the MAYOR AND Commissioners shall have the power to adopt such rules and regulations governing the operation of a merit system as it deems desirable or necessary. Among other things, these rules and regulations may provide for competitive examinations, the use of eligible lists, a classification plan, a probation period, appeals by employees included within the classified service from dismissal or other disciplinary action and vacation and sick leave regulations.

**§ ((C7-4)) C7-5. Retirement and pension systems.**

The Town shall have the power to do all things necessary to include its officers and employees, or any of them, within any retirement system or pension system under the terms of which they are admissible, and to pay all or part of the cost of any such retirement or pension system out of the general funds of the Town.

**§ ((C7-5)) C7-6. Compensation of employees.**

The compensation of all officers and employees of the Town (exclusive of the MAYOR AND Commissioners) shall be set from time to time by the MAYOR AND Commissioners.

79 § ((C7-6)) C7-7. **Employee benefit programs.**

80  
81 The Town is authorized and empowered, by ordinance, to provide for or participate in hospitalization  
82 or other forms of benefit or welfare programs for its officers and employees and to expend public  
83 moneys of the Town for such programs.

84  
85 **SECTION 2. BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE**  
86 **TOWN OF PERRYVILLE** that new Section C7-3 be and it is hereby added to Article VII, Personnel,  
87 of the Charter of the Town of Perryville (as published in the Perryville Town Code), to follow  
88 immediately after Section C7-2, and to read as follows:

89 **ARTICLE VII**  
90 **Personnel**

91  
92 § **C7-3 TOWN ADMINISTRATOR, FUNCTIONS, POWERS, AND DUTIES.**

93  
94 THE TOWN ADMINISTRATOR SHALL BE RESPONSIBLE TO THE MAYOR AND  
95 COMMISSIONERS FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE TOWN  
96 PLACED IN HIS OR HER CHARGE AND PURSUANT THERETO THE ADMINISTRATOR  
97 SHALL HAVE THE FOLLOWING FUNCTIONS, POWERS, AND DUTIES:

- 98  
99 A. TO BE RESPONSIBLE FOR THE EFFICIENT ADMINISTRATION OF ALL  
100 ADMINISTRATIVE DEPARTMENTS OF THE TOWN GOVERNMENT.
- 101  
102 B. TO BE RESPONSIBLE FOR THE ENFORCEMENT OF THE ORDINANCES, OFFICIAL  
103 DIRECTIVES, OTHER LAWS OF THE TOWN, AND THOSE GENERAL LAWS OF THE  
104 STATE APPLICABLE TO MUNICIPALITIES.
- 105  
106 C. TO HIRE, SUSPEND, TRANSFER AND DISCHARGE TOWN EMPLOYEES EXCEPT AS  
107 OTHERWISE PROVIDED BY THE MAYOR AND COMMISSIONERS.
- 108  
109 D. TO HIRE AND MAKE APPOINTMENTS ON THE BASIS OF ADMINISTRATIVE  
110 ABILITY AS WELL AS TRAINING AND EXPERIENCE IN THE WORK TO BE  
111 PERFORMED.
- 112  
113 E. TO CAUSE A PROPOSED BUDGET TO BE PREPARED ANNUALLY AND SUBMITTED  
114 TO THE MAYOR AND COMMISSIONERS AND BE RESPONSIBLE FOR THE  
115 ADMINISTRATION OF THE BUDGET AFTER ITS ADOPTION, ALL IN ACCORDANCE  
116 WITH THIS CHARTER AND UNDER POLICIES FORMULATED BY THE. MAYOR AND  
117 COMMISSIONERS.
- 118  
119 F. TO KEEP THE MAYOR AND COMMISSIONERS ADVISED OF THE FINANCIAL  
120 CONDITION AND FUTURE NEEDS OF THE TOWN AND MAKE SUCH  
121 RECOMMENDATIONS TO THE MAYOR AND COMMISSIONERS FOR ADOPTION AS  
122 MAY DEEM NECESSARY OR EXPEDIENT.

- 124 G. TO EXERCISE CONTROL OVER THE VARIOUS TOWN DEPARTMENTS AND  
125 RECOMMEND TO THE MAYOR AND COMMISSIONERS ANY PROPOSAL THEY  
126 THINK ADVISABLE TO ESTABLISH, CONSOLIDATE OR ABOLISH DEPARTMENTS.  
127
- 128 H. TO BE RESPONSIBLE FOR THE ENFORCEMENT OF ALL TERMS AND CONDITIONS  
129 IMPOSED IN FAVOR OF THE TOWN IN ANY CONTRACT OR FRANCHISE, AND  
130 UPON KNOWLEDGE OF ANY VIOLATION THEREOF, REPORT THE SAME TO THE  
131 MAYOR AND COMMISSIONERS FOR SUCH ACTION AND PROCEEDINGS AS MAY  
132 BE NECESSARY TO ENFORCE THE SAME.  
133
- 134 I. TO ATTEND MAYOR AND COMMISSIONERS MEETINGS WITH THE PRIVILEGE TO  
135 PARTICIPATE IN DISCUSSIONS WITH MAYOR AND COMMISSIONERS IN AN  
136 ADVISORY CAPACITY WITHOUT THE RIGHT TO VOTE.  
137
- 138 J. TO INFORM THE PUBLIC CONCERNING PLANS AND ACTIVITIES OF THE MAYOR  
139 AND COMMISSIONERS AND OF THE TOWN ADMINISTRATION.  
140
- 141 K. TO BE RESPONSIBLE FOR A SYSTEM OF ACCOUNTING AND AUDITING FOR THE  
142 TOWN WHICH SHALL REFLECT, IN ACCORDANCE WITH GENERALLY ACCEPTED  
143 MUNICIPAL ACCOUNTING PRINCIPLES, THE FINANCIAL CONDITION AND  
144 FINANCIAL OPERATION OF THE TOWN.  
145
- 146 L. TO BE RESPONSIBLE FOR ENGINEERING, ARCHITECTURAL MAINTENANCE AND  
147 CONSTRUCTION SERVICES AS MAY BE REQUIRED BY THE TOWN, WITHIN THE  
148 LIMITATIONS OF THE TOWN BUDGET.  
149
- 150 M. TO SUBMIT TO THE MAYOR AND COMMISSIONERS FOR APPROVAL,  
151 APPROPRIATE RULES AND REGULATIONS GOVERNING PURCHASES ON BEHALF  
152 OF THE TOWN.  
153
- 154 N. TO DISPOSE OF PROPERTY OF THE TOWN IN ACCORDANCE WITH PROCEDURES  
155 BY THE MAYOR AND COMMISSIONERS AND SUBJECT TO THE PROVISIONS OF  
156 THIS CHARTER AND STATE LAW.  
157
- 158 O. TO RECOMMEND FOR APPROVAL BY THE MAYOR AND COMMISSIONERS,  
159 APPROPRIATE PERSONNEL RULES AND REGULATIONS GOVERNING OFFICERS  
160 AND EMPLOYEES OF THE TOWN, SUBJECT TO THE PROVISIONS OF THIS  
161 CHARTER.  
162
- 163 P. TO CARRY OUT ALL POLICIES, DUTIES, ORDERS AND OTHER DIRECTIVES OF  
164 THE MAYOR AND COMMISSIONERS.  
165

166 **SECTION 3: AND BE IT FURTHER RESOLVED BY THE MAYOR AND**  
167 **COMMISSIONERS OF THE TOWN OF PERRYVILLE,** that if any provision of this Resolution,  
168 or the application thereof to any person or circumstance is held invalid for any reason, such invalidity  
169 shall not affect the other provisions or any other application of this Resolution which can be given

170 effect without the invalid provisions or application, and to this end, all the provisions of this Resolution  
171 are hereby declared to be severable.

172  
173 **SECTION 4: AND BE IT FURTHER RESOLVED BY THE MAYOR AND**  
174 **COMMISSIONERS OF THE TOWN OF PERRYVILLE** that the date of adoption of this  
175 Resolution is \_\_\_\_\_, 202\_\_\_\_, and the amendment to the Charter of the Town of  
176 Perryville, hereby enacted shall become effective on \_\_\_\_\_, 2023, unless a proper  
177 petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy  
178 of this Resolution shall be continuously posted on the bulletin board in the Town Hall until  
179 \_\_\_\_\_, 2023, and provided further that a copy of the title of this Resolution shall  
180 be published in a newspaper of general circulation in the Town of Perryville, or in any other newspaper  
181 of such general circulation, once in each of the weeks beginning \_\_\_\_\_, 202\_\_\_\_,  
182 \_\_\_\_\_, 202\_\_\_\_, \_\_\_\_\_, 202\_\_\_\_, and \_\_\_\_\_, 202\_\_\_\_.

183  
184 **SECTION 5: AND BE IT FURTHER RESOLVED BY THE MAYOR AND**  
185 **COMMISSIONERS OF THE TOWN OF PERRYVILLE**, that the Town Administrator is hereby  
186 specifically commanded to carry out the provisions of Section 3 of this Resolution, and, as evidence of  
187 such compliance, the Town Administrator shall cause to be maintained appropriate certificates of  
188 publication of the newspaper or newspapers in which the title of the Resolution shall have been  
189 published and if a favorable referendum is held on the Charter change, the Mayor shall declare the  
190 Charter Amendment hereby enacted to be effective on the date provided by law.

191  
192 **SECTION 6: AND BE IT FURTHER RESOLVED BY THE MAYOR AND**  
193 **COMMISSIONERS OF THE TOWN OF PERRYVILLE** that as soon as the Charter Amendment  
194 hereby enacted shall become effective, either as provided herein or following a referendum, the Town  
195 Administrator shall send to the Department of Legislative Services of Maryland a copy of this  
196 Resolution showing the number of members of the Council voting for and against it and a report on the  
197 votes cast for or against the Charter Amendment hereby enacted at any referendum thereon and the  
198 date of such referendum.

199  
200 The above Amendment to the Charter of the Town of Perryville was enacted by the foregoing  
201 Resolution which was passed at a \_\_\_\_\_ meeting of the Mayor and  
202 Commissioners of the Town of Perryville on \_\_\_\_\_, 202\_\_\_\_,  
203 members voting in the affirmative, \_\_\_\_\_ members voting in the negative,  
204 \_\_\_\_\_ members abstaining and \_\_\_\_\_ members absent and the  
205 Resolution becomes effective in accordance with law on the \_\_\_\_\_ day of  
206 \_\_\_\_\_, 2023, if a petition for referendum has not been filed in the time prescribed  
207 by law.

208  
209 READ AND PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

210 ATTEST:

MAYOR  
TOWN OF PERRYVILLE:

211  
212  
213  
214 \_\_\_\_\_  
215 Jackie Sample, Town Clerk

\_\_\_\_\_  
Matt Roath, Mayor

