

## CHARTER AMENDMENT RESOLUTION NO. 2024-1

**A RESOLUTION TO AMEND § SC1-1 OF THE CITY CHARTER TO ADD THAT ALL REFERENCES TO THE “CITY” OR “SALISBURY” IN THE CITY CHARTER AND MUNICIPAL CODE SHALL MEAN THE “CITY OF SALISBURY,” A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND.**

**WHEREAS**, the ongoing application, administration, and enforcement of the City Charter demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of the Charter current; and

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 4-301 *et seq.*, as amended, and § SC21-2 of the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality; and

**WHEREAS**, the Mayor and Council find that an amendment to § SC1-1 of the Charter is desirable to clarify the Charter; and

**WHEREAS**, on August 8, 2024, the City of Salisbury Election Board convened in public session to review potential amendments to the Charter and to offer advice and recommendations to the Mayor and Council; and

**WHEREAS**, on August 19, 2024, the Mayor and Council convened in public session to review this proposed Charter amendment; and

**WHEREAS**, the Mayor and Council have determined that this amendment to § SC1-1 shall be adopted as set forth herein; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY** by virtue of the authority granted in Article XI-E of the Maryland Declaration of Rights, §§ 4-301 *et seq.* of the Local Government Article of the Code of Maryland, and Article XXI of the City Charter as follows:

**Section 1.** It is proposed and recommended that § SC1-1 be amended to add the underscored and italicized language:

The inhabitants of the City of Salisbury, in Wicomico County, Maryland, are hereby constituted a body corporate by the name of the "City of Salisbury," and by that name shall have perpetual succession, sue and be sued, have and use a common seal which may be altered at pleasure and have all powers and privileges incident to or that may attach to

a municipal corporation. The repealing of the former Section 258 of Article 23 of the Code of Public Local Laws of Maryland (1930 Edition) and the enactment of this new section shall not be construed as terminating the existence of the corporation known as the "Mayor and Council of Salisbury" and creating a new corporation by the name of the "City of Salisbury," but shall be construed as continuing the existence of the corporation known as the "Mayor and Council of Salisbury" and changing its name to that of the "City of Salisbury." All references to the "City," "city," or "Salisbury" in this Charter or the Salisbury Municipal Code shall mean the "City of Salisbury."

**Section 2.** With the aforementioned proposed Charter amendment, § SC1-1 of the Charter would read:

The inhabitants of the City of Salisbury, in Wicomico County, Maryland, are hereby constituted a body corporate by the name of the "City of Salisbury," and by that name shall have perpetual succession, sue and be sued, have and use a common seal which may be altered at pleasure and have all powers and privileges incident to or that may attach to a municipal corporation. The repealing of the former Section 258 of Article 23 of the Code of Public Local Laws of Maryland (1930 Edition) and the enactment of this new section shall not be construed as terminating the existence of the corporation known as the "Mayor and Council of Salisbury" and creating a new corporation by the name of the "City of Salisbury," but shall be construed as continuing the existence of the corporation known as the "Mayor and Council of Salisbury" and changing its name to that of the "City of Salisbury." All references to the "City," "city," or "Salisbury" in this Charter or the Salisbury Municipal Code shall mean the "City of Salisbury."

**Section 3.** Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for September 23, 2024 at 6:00 p.m.

**Section 4.** Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

**Section 5.** The title of this Resolution shall be deemed a fair summary of the amendments provided herein for public and all other purposes.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:**

**Section 6.** This Resolution shall take effect on the fiftieth day after the Resolution is adopted, subject to the right of referendum.

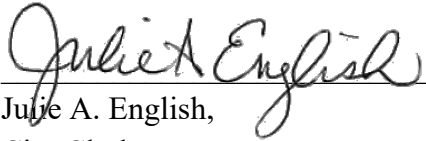
**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:**


**Section 7.** It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

**Section 8.** It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid, unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.


**Section 9.** The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 9.

**THE ABOVE RESOLUTION** was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 23 day of September, 2024.

  
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Julie A. English,  
City Clerk

  
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D'Shawn M. Doughty,  
City Council President

APPROVED BY ME THIS 25 day of Sept, 2024.

  
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Randolph J. Taylor, Mayor