

of the State of Maryland and Article 23-A of the Annotated Code of Maryland (1957 Edition), title "Corporations—Municipal," to repeal and re-enact Section 38 of the Charter of the City of Annapolis—Subject—Port Wardens—relating to the increase in scope of matters to be considered by Port Wardens and other matters relating generally.

SECTION I. BE IT RESOLVED by the Mayor and Aldermen of the City of Annapolis that Section 38 of the Charter of the City of Annapolis be repealed and re-enacted to read as follows:

Section 38. The wardens, or a majority of them, shall have power to determine upon and regulate all matters relating to the creation or building of wharves in the said port, so far as respects the distance said wharves may be extended into the water, and the materials of which they shall be constructed, and the manner and form of construction, keeping in view the preservation of the navigation of said port and the effect of the proposed wharf and its uses alone or in concert with existing wharves and their uses on marine life, wildlife, conservation, water pollution and erosion by not permitting any wharf to be carried out in such manner as to render the navigation of the same too close and confined, or to be built of such materials or constructed in such manner as may be deemed not sufficiently substantial and lasting, or to materially increase water pollution or erosion, or materially impair marine life, wildlife, or conservation.

SECTION II. AND BE IT FURTHER RESOLVED by the Mayor and Aldermen of the City of Annapolis that the date of adoption of this Resolution is February 9, 1970, and the amendment of the Charter of the City of Annapolis, hereby enacted, shall become effective on April 1, 1970, unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the City Hall, until March 23, 1970, and provided further that a copy of the title of this Resolution shall be published in the "Evening Capital", a newspaper of general circulation in the City of Annapolis, or in any other newspaper of such general circulation, once in each of the weeks February 16, 1970, February 23, 1970, March 2, 1970, March 9, 1970, and March 16, 1970.

SECTION III. AND BE IT FURTHER RESOLVED that the Mayor is hereby specifically commanded to carry out the provisions of Section II hereof and, as evidence of such compliance, the Mayor shall cause to be affixed to the minutes of this meeting appropriate certificates of publication of the newspaper or newspapers in which the title of this Resolution shall have been published and shall declare the Charter change hereby enacted to be effective on April 1, 1970, or following a favorable referendum thereon, by affixing his signature hereto in the space provided on the effective date of change.

SECTION IV. AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Mayor shall send separately by registered mail, to the Secretary of State of Maryland and to the Department of Legislative Reference of Maryland a clear certified copy of this Resolution showing the number of Aldermen voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a regular meeting of the Mayor and Aldermen