

Resolution No.: 16-254
Introduced: June 12, 2006
Adopted: July 19, 2007

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Incorporation of Rollingwood Village of Chevy Chase

Background

1. On November 6, 2006, certain residents of the Rollingwood area of Chevy Chase submitted to the County Council a petition for incorporation of Rollingwood Village of Chevy Chase as a municipality.
2. On December 12, 2006, by Resolution 16-10, the County Council verified that the petition contained the signatures of more than 25 percent of the registered voters residing in the area proposed for incorporation and met all other requirements of state law.
3. On June 8, 2007, the Rollingwood Organizing Committee filed a proposed Village Charter and accompanying report with the County Council.
4. On July 10, 2007, the County Council held a public hearing on the petition.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. The County Council finds that the petition for the incorporation of an area to be called Rollingwood Village of Chevy Chase as a municipal corporation complies with all applicable procedural requirements of Maryland Code, Article 23A.
2. The County Council rejects the request made in the petition for a referendum on the incorporation of the area to be called Rollingwood Village of Chevy Chase because the proposed incorporation is not in the best interests of the people of Montgomery County, including residents and property owners in the areas proposed for incorporation, for the following reasons:

- a) No critical need for a new layer of general-purpose government in this area of the County has been shown. The addition of another general-purpose government will produce further administrative complexity and impede the County's ability to comprehensively and consistently regulate critical activities and functions, including land use and transportation.
 - b) The state-mandated diversion of certain tax revenues from the County to the proposed municipality, the amount of which is based neither on the relative need of the receiving municipality nor the nature and extent of services to be provided therein, is likely to exacerbate disparities in the distribution of essential public services between different areas of the County and impair the County's capacity to plan, coordinate, provide, and sustain essential public services throughout the County.
 - c) The areas proposed to be included in the municipality contain certain subdivisions whose residents do not appear to share sufficient common interests with the remainder of the proposed municipality.
3. Maryland Code Art. 23A §24 requires the County Council, if it rejects a referendum request, to "provide in writing and make available to the general public within a reasonable time the reasons for rejecting the referendum request." This resolution fulfills that requirement.
 4. Maryland Code Art. 23A §24 also requires the County Council, if it rejects a referendum request, to "establish reasonable procedures by which a reconsideration of a rejection of a referendum request can be undertaken, including an opportunity for a public hearing with sufficient advance public notice." As required by §24, the Council must schedule and hold a public hearing, with at least 15 days' advance notice, on reconsideration of the referendum request if any resident of Montgomery County files a request for a public hearing with the Council President not later than July 30, 2007.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council