

**AN ORDINANCE TO AMEND THE CALVERT COUNTY ETHICS CODE**

**WHEREAS**, pursuant to the authority contained in Section 5-807 of the *General Provisions Article* of the Maryland Annotated Code, the Board of County Commissioners of Calvert County, Maryland, is mandated to enact provisions to govern the public ethics of local officials relating to conflicts of interest, financial disclosure and lobbying with respect to Calvert County, and has heretofore adopted the Calvert County Code of Ethics by Resolution Number 15-95, enacted May 30, 1995, and amended by Ordinance Number 6-97 on January 28, 1997, amended by Ordinance 20-12 recorded on April 19, 2012, and amended by Ordinance 45-14 recorded on November 26, 2014, and codified as the Calvert County Code of Ethics at Chapter 41 of the Code of Public Local Laws of Calvert County, Maryland, being Chapter 41 of *Article 5* of the Code of Public Laws of Maryland (hereinafter, the "Code");

**WHEREAS**, the Calvert County Ethics Commission has recommended a change to Chapter 41 of the Code to address situations that have been identified regarding the participation of the alternate member of the Commission since last amendment;

**WHEREAS**, a public hearing was duly advertised for two consecutive weeks before the public hearing held on September 26, 2017, at which time the Board of County Commissioners received public comment regarding the proposed amendment to Chapter 41 of the Code; and

**WHEREAS**, upon considering the testimony presented at the Public Hearing regarding the recommendations of the Ethics Commission and County staff, the Board of County Commissioners finds it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland, to adopt those amendments proposed by the Calvert County Ethics Commission as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** that the Board of County Commissioners of Calvert County, Maryland hereby approves and enacts the following amendments to Chapter 41 of the Code by:

1. Repealing and readopting with amendments Section 41-6(B) of the Code, which, upon amendment, shall provide as follows:
  - B. The alternate member shall serve as a participating member of the Commission and shall be eligible to vote when any member is unavailable for any reason.
2. Repealing and readopting with amendments Section 41-6(C) of the Code, which, upon amendment, shall provide as follows:
  - C. Terms. All members shall serve a term of three years. No more than two terms shall commence in any one year. The alternate shall also be appointed for a three-year term and shall sit as a voting member when any member is unavailable for any reason. The alternate shall be eligible for appointment to a vacant member position regardless of the expiration of the alternate's term. A member or alternate shall serve until a successor has been appointed.
3. Appending the following to Section 41-15 of the Code, which shall provide as follows:

- I. Upon filing a financial disclosure form, the filer expressly consents to the disclosure of any action taken by an appointing authority against the filer based upon the recommendation of the Ethic Commission set forth at Section 41-22(C), below.
- 4. Appending the following to Section 41-22 of the Code, which shall provide as follows:
  - C. The appointing authority shall report to the Ethics Commission any action taken based upon the recommendation of the Ethic Commission. The Ethics Commission shall hold such information in confidence and shall not disclose the same except as required by law or Court-order.

**BE IT FURTHER ORDAINED** by the Board of County Commissioners of Calvert County, Maryland that Chapter 41 of the Code, as amended hereby, shall remain in full force and effect.

**BE IT FURTHER ORDAINED** by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the valid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall be effective upon recordation and publication of a fair summary.

**DONE**, this 26<sup>th</sup> day of September, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5

Nay: Ø

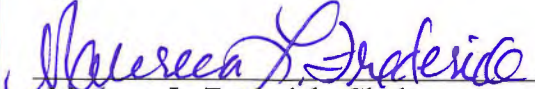
Absent/Abstain: Ø

[SIGNATURES ON FOLLOWING PAGE]

BK 000521399

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND


  
Maureen L. Frederick, Clerk

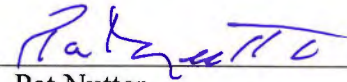
  
Tom Hejl, President

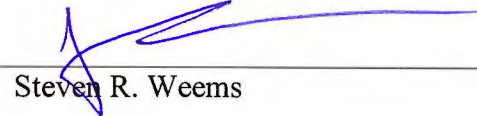
Approved for form and legal  
sufficiency by:

  
Evan K. Slaughenhop Jr., Vice President

  
Mike Hart

  
John B. Norris, III, County Attorney

  
Pat Nutter

  
Steven R. Weems

Received for Record..... 9/26 ..... 20..17  
at..... 11:38 ..... o'clock..... A ..... M. Same day  
recorded in Liber KPS No. .... 52 .....  
Folio..... 397 ..... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

