

1 **..Title**

2 **Office of Law** – For the purpose of clarifying the functions of the Office of Law; clarifying  
3 the functions of the City Clerk; making technical corrections; and making stylistic changes.

4 **..Body**

5

6

**CITY COUNCIL OF THE  
City of Annapolis**

8

9

**Ordinance 13-19**

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**Introduced by: Mayor Buckley and Alderwoman Finlayson**

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13

**Referred to**

14

Rules and City Government Committee

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16

17

**AN ORDINANCE** concerning

18

19

**Office of Law**

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21

**FOR** the purpose of clarifying the functions of the Office of Law; clarifying the functions  
22 of the City Clerk; making technical corrections; and making stylistic changes.

23

24

**BY** repealing and re-enacting with amendments the following portions of the Code of  
25 the City of Annapolis, 2019 Edition

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1.01.010

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1.08.020

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1.16.010

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2.08.030

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2.08.050

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2.08.051

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2.08.070

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2.12.040

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2.12.050

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4.20.130

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7.12.090

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7.44.010

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22.28.020

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**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS  
42 CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as

43

follows:

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**TITLE 1 – GENERAL PROVISIONS**

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**Chapter 1.01 – CODE ADOPTION****Section 1.01.010 - Adoption.**

The "Code of the City of Annapolis (1996 Edition)," as compiled, codified, edited, and published by Book Publishing Company, Seattle, Washington, a copy of which is on file in the ~~Office of the City Clerk~~LAW and incorporated by reference in the ordinance codified in this chapter, is adopted as the code of laws of general application and continuing force in the City, from and after October 1, 1996. In addition to those matters published in the code, all ordinances adopted on and after July 26, 1996, and before October 1, 1996, amending the Annapolis City Code (1986 Edition and Supplements) but not printed in this 1996 code also are adopted as part of this code and shall be codified and published in the first supplement to this code. Until these ordinances are recodified in the first supplement to this code, they shall be construed and interpreted in conjunction with their corresponding provisions in this code.

**Chapter 1.08 – CITY EMBLEMS****Section 1.08.020 - City seal—Custodian.**

The City Clerk shall have the custody of the seal of the City, and the seal shall be carefully preserved and maintained at all times in the ~~Office of the City Clerk~~LAW.

**Chapter 1.16 - ELECTION WARDS****Section 1.16.010 - Division of City.**

The City shall be laid off and divided into eight wards, the boundaries of which are shown by description and on a map on file in the ~~Office of the City Clerk~~LAW. The descriptions of the ward boundaries are as set out in this chapter.

**TITLE 2 – ADMINISTRATION****Chapter 2.08 – PUBLIC ETHICS AND FINANCIAL DISCLOSURE****Section 2.08.030 - Ethics Commission.**

- A. Composition and appointment. The City Ethics Commission is composed of five City resident members who are nominated by the Mayor and confirmed by a majority vote of the City Council within thirty days of a nomination. Each member of the Commission shall serve for a term of one to five years from the date of confirmation so member terms are overlapping. No member of the ~~e~~Commission shall be an elected or appointed official of the City, or any individual who is otherwise subject to the provisions of this section of the code. Upon occurrence of a vacancy on the Commission for any reason, the Mayor shall nominate an individual to fill that position for a term of up to five years. A Commission member may serve until re-appointed or a successor is appointed. Nothing herein shall preclude the nomination and confirmation of a member to serve successive terms.
- B. The Commission shall elect a Chairman and Vice Chairman for one year terms from among its members. They must be elected annually in February and may be reelected.

1 The Chairman shall provide the Mayor and City Council an annual report by January  
2 31 for the prior calendar year.

3 C. Duties and responsibilities. The Commission shall be assisted in carrying out its duties  
4 and responsibilities by the ~~City Attorney~~ OFFICE OF LAW or, in situations where  
5 there is a potential conflict of interest, ~~may use~~ other legal counsel. The Ethics  
6 Commission has the following duties and responsibilities:

7 1. To develop all forms required by this chapter. Completed copies of ~~such~~ THE  
8 forms shall be reviewed by the Commission for compliance with this chapter and  
9 retained by the ~~City Attorney's~~ Office OF LAW;

10 2. To receive and respond to written requests from any person who is subject to or  
11 who may be subject to the provisions of this chapter for an opinion, assistance, or  
12 guidance in interpreting the requirements of this chapter. Advisory opinions may  
13 also be provided in response to questions from any person interested in  
14 maintaining high ethical standards of conduct within the City government. ~~Such~~  
15 a Advisory opinions of the Ethics Commission shall be provided in a timely  
16 manner in writing with a copy filed in the ~~City Attorney's~~ Office of Law.  
17 Extracts from or summaries of advisory opinions may be made public at the  
18 discretion of the Ethics Commission. The Commission shall redact the opinion by  
19 deleting the name of the person subject to the opinion and, to the fullest extent  
20 possible, any other information that may identify the person who is the subject of  
21 the opinion if ~~such~~ THE information is not material. If an advisory opinion is not  
22 made public by the Ethics Commission, the opinion and the identity of the person  
23 subject to the opinion shall be confidential and may not ~~otherwise~~ be revealed.  
24 Any official or employee who in good faith relies on an advisory opinion of the  
25 Commission shall not be disciplined if the action is found thereafter to be a  
26 violation of this chapter;

27 3. To expeditiously process, investigate, and make determinations as to complaints  
28 initiated by the majority of the Commission or filed by any person alleging  
29 violation of the provisions of this chapter;

30 4. To issue subpoenas, administer oaths, and compel the attendance of witnesses  
31 and THE production of documents at its proceedings;

32 5. To take enforcement actions as are authorized by the provisions of Section  
33 2.08.100;

34 6. To provide the City's Office of Human Resources with information concerning  
35 the purpose and implementation of this chapter so they may ensure that all City  
36 officials and employees are aware of their responsibility ~~for maintaining~~ TO  
37 MAINTAIN high ethical standards in conducting the business of the City;

38 7. The Ethics Commission shall meet at least once per year with the Human  
39 Resources Manager for the purpose of reviewing the steps being taken to ensure  
40 that all eCity officials and employees are aware of their responsibility ~~for~~  
41 ~~maintaining~~ TO MAINTAIN high ethical standards in conducting the City's  
42 business;

43 8. The Ethics Commission shall adopt procedures for the conduct of its business in  
44 accordance with this chapter, and ~~such~~ THE procedures shall be available to the  
45 public; and

- 1           9. The Ethics Commission, ~~or City Attorney~~ WITH ASSISTANCE FROM THE  
2 OFFICE OF LAW IF NEEDED, shall certify to the State Ethics Commission on  
3 or before October 1 of each year that the City of Annapolis is in compliance with  
4 the requirements of the Annotated Code of Maryland, General Provisions Article,  
5 Title 5, Subtitle 1, for elected local officials.  
6

7 **Section 2.08.050 - Financial disclosure for elected officials and candidates for elected**  
8 **office.**  
9

- 10 A. This section applies to all elected officials and candidates for elected office:  
11 B. Except as provided in subsection D. of this section, an elected official or a candidate  
12 to be an elected official shall file WITH THE COMMISSION the financial disclosure  
13 statement required under this subsection:  
14 1. On a form provided by the Commission; AND  
15 2. Under oath or affirmation; ~~and~~  
16 ~~3. With the Commission.~~  
17 C. Deadlines for filing statements.  
18 1. An incumbent official shall file a financial disclosure statement annually no later  
19 than January 31 of each year for the preceding calendar year.  
20 2. An official who is appointed to fill a vacancy in an office for which a financial  
21 disclosure statement is required and who has not already filed a financial  
22 disclosure statement shall file a statement for the preceding calendar year within  
23 ~~thirty~~30 days after appointment.  
24 3. Officials leaving office.  
25 a. An individual who, other than by reason of death, leaves an office for which  
26 a statement is required shall file a statement within ~~sixty~~60 days after leaving  
27 the office.  
28 b. The statement shall cover:  
29 (1) The calendar year immediately preceding the year in which the  
30 individual left office, unless a statement covering that year has already  
31 been filed by the individual; and  
32 (2) The portion of the current calendar year during which the individual  
33 held the office.  
34 D. Candidates to be elected officials.  
35 1. Except for an official who has filed a financial disclosure statement under another  
36 provision of this section for the reporting period, a candidate to be an elected  
37 official shall file a financial disclosure statement each year beginning with the  
38 year in which the certificate of candidacy is filed through the year of the election.  
39 2. A candidate to be an elected official shall file a statement required under this  
40 section:  
41 a. In the year the certificate of candidacy is filed, no later than the filing of the  
42 certificate of candidacy;  
43 b. In the year of the election, on or before the earlier of April 30 or the last day  
44 for the withdrawal of candidacy; and  
45 c. In all other years for which a statement is required, on or before April 30.  
46 3. A candidate to be an elected official:

- 1 a. May file the statement required under subsection D.2.a. of this section with  
2 the City Clerk or Board of Election supervisors with the certificate of  
3 candidacy or with the Commission prior to filing the certificate of candidacy;  
4 and  
5 b. Shall file the statements required under subsection D.2.b. and D.2.c. of this  
6 section with the Commission.
- 7 4. If a candidate fails to file a statement required by this section after written notice  
8 is provided by the City Clerk or Board of Election Supervisors at least ~~twenty~~20  
9 days before the last day for the withdrawal of candidacy, the candidate is deemed  
10 to have withdrawn the candidacy.
- 11 5. The City Clerk or Board of Election Supervisors may not accept any certificate  
12 of candidacy unless a statement required under this section has been filed in  
13 proper form.
- 14 6. Within ~~thirty~~30 days ~~of the~~ AFTER receipt of a statement required under this  
15 section, the City Clerk or Board of Election Supervisors shall forward the  
16 statement to the Commission.
- 17 E. Public record.
- 18 1. The ~~City Attorney's~~ Office of Law shall maintain all financial disclosure  
19 statements filed under this section.
- 20 2. The ~~City Attorney's~~ Office of Law shall make financial disclosure statements  
21 available during normal office hours for examination by the public.
- 22 3. If an individual examines a financial disclosure statement, the ~~City Attorney's~~  
23 Office of Law shall:
- 24 a. Redact any portion of a statement, filed after January 1, 2019, that includes  
25 the home address of the person whose financial disclosure statement was  
26 examined;
- 27 b. Record the name and address of the individual reviewing the statement;
- 28 c. Record the name of the person whose financial disclosure statement was  
29 examined; and
- 30 d. Notify the person whose financial disclosure statement was examined of the  
31 information recorded in paragraph 3.b. above.
- 32 F. Retention requirements. The ~~City Attorney's~~ Office of Law shall retain financial  
33 disclosure statements for four years ~~from~~ AFTER the date of receipt.
- 34 G. Contents of statement.
- 35 1. Interests in real property.
- 36 a. A statement filed under this section shall include a schedule of all interests  
37 in real property, wherever located.
- 38 b. For each interest in real property, the schedule shall include:
- 39 (1) The nature of the property and the location by street address, mailing  
40 address, or legal description of the property;
- 41 (2) The nature and extent of the interest held, including any conditions and  
42 encumbrances on the interest;
- 43 (3) The date when, the manner in which, and the identity of the person  
44 from whom the interest was acquired;

- 1 (4) The nature and amount of the consideration given in exchange for the  
2 interest or, if acquired other than by purchase, the fair market value of  
3 the interest at the time acquired;
- 4 (5) If any interest was transferred, in whole or in part, at any time during  
5 the reporting period, a description of the interest transferred, the nature  
6 and amount of the consideration received for the interest, and the identity  
7 of the person to whom the interest was transferred; and
- 8 (6) The identity of any other person with an interest in the property.
- 9 2. Interests in corporations and partnerships.
- 10 a. A statement filed under this section shall include a schedule of all interests  
11 in any corporation, partnership, limited liability partnership, or limited  
12 liability corporation, regardless of whether the corporation or partnership  
13 does business with the City.
- 14 b. For each interest reported under this paragraph, the schedule shall include:
- 15 (1) The name and address of the principal office of the corporation,  
16 partnership, limited liability partnership, or limited liability corporation;
- 17 (2) The nature and amount of the interest held, including any conditions  
18 and encumbrances on the interest;
- 19 (3) With respect to any interest transferred, in whole or in part, at any time  
20 during the reporting period, a description of the interest transferred, the  
21 nature and amount of the consideration received for the interest, and, if  
22 known, the identity of the person to whom the interest was transferred;  
23 and
- 24 (4) With respect to any interest acquired during the reporting period:
- 25 (I) The date when, the manner in which, and the identity of the person  
26 from whom the interest was acquired; and
- 27 (II) The nature and the amount of the consideration given in exchange  
28 for the interest or, if acquired other than by purchase, the fair market  
29 value of the interest at the time acquired.
- 30 c. An individual may satisfy the requirement to report the amount of the interest  
31 held under item b.(2) of this paragraph by reporting, instead of a dollar  
32 amount:
- 33 (1) For an equity interest in a corporation, the number of shares held and,  
34 unless the corporation's stock is publicly traded, the percentage of equity  
35 interest held; or
- 36 (2) For an equity interest in a partnership, the percentage of equity interest  
37 held.
- 38 3. Interests in business entities doing business with THE City.
- 39 a. A statement filed under this section shall include a schedule of all interests  
40 in any business entity that does business with the City, other than interests  
41 reported under paragraph 2. of this subsection.
- 42 b. For each interest reported under this paragraph, the schedule shall include:
- 43 (1) The name and address of the principal office of the business entity;
- 44 (2) The nature and amount of the interest held, including any conditions to  
45 and encumbrances on the interest;

- 1 (3) With respect to any interest transferred, in whole or in part; AND at  
2 any time during the reporting period, a description of the interest  
3 transferred, the nature and amount of the consideration received in  
4 exchange for the interest, and, if known, the identity of the person to  
5 whom the interest was transferred; and  
6 (4) With respect to any interest acquired during the reporting period:  
7 (I) The date when, the manner in which, and the identity of the person  
8 from whom the interest was acquired; and  
9 (II) The nature and the amount of the consideration given in exchange  
10 for the interest or, if acquired other than by purchase, the fair market  
11 value of the interest at the time acquired.
- 12 4. Gifts.
- 13 a. A statement filed under this section shall include a schedule of each gift in  
14 excess of ~~twenty dollars~~\$20.00 in value or a series of gifts totaling ~~one~~  
15 ~~hundred dollars~~\$100.00 or more received during the reporting period from or  
16 on behalf of, directly or indirectly, any ~~one~~ person who does business with  
17 the City.
- 18 b. For each gift reported, the schedule shall include:  
19 (1) A description of the nature and value of the gift; and  
20 (2) The identity of the person from whom, or on behalf of whom, directly  
21 or indirectly, the gift was received.
- 22 5. Employment with or interests in entities doing business with City.
- 23 a. A statement filed under this section shall include a schedule of all offices,  
24 directorships, and salaried employment by the individual or member of the  
25 immediate family of the individual held at any time during the reporting  
26 period with entities doing business with the City.
- 27 b. For each position reported under this paragraph, the schedule shall include:  
28 (1) The name and address of the principal office of the business entity;  
29 (2) The title and nature of the office, directorship, or salaried employment  
30 held and the date it commenced; and  
31 (3) The name of each City agency with which the entity is involved as  
32 indicated by identifying one or more of the three categories of "doing  
33 business," as defined in Section 2.08.020 A.4. of this chapter.
- 34 6. Indebtedness to entities doing business with City.
- 35 a. A statement filed under this section shall include a schedule of all liabilities,  
36 excluding retail credit accounts, to persons doing business with the City owed  
37 at any time during the reporting period:  
38 (1) By the individual; or  
39 (2) By a member of the immediate family of the individual if the individual  
40 was involved in the transaction giving rise to the liability.
- 41 b. For each liability reported under this paragraph, the schedule shall include:  
42 (1) The identity of the person to whom the liability was owed and the date  
43 the liability was incurred;  
44 (2) The amount of the liability owed as of the end of the reporting period;

1 (3) The terms of payment of the liability and the extent to which the  
2 principal amount of the liability was increased or reduced during the  
3 year; and

4 (4) The security given, if any, for the liability.

5 7. Employment with THE City. A statement filed under this section shall include a  
6 schedule of the immediate family members of the elected official or candidate for  
7 elected office in any capacity at any time during the reporting period.

8 8. Sources of earned income.

9 a. A statement filed under this section shall include a schedule of the name and  
10 address of each place of employment and of each business entity of which  
11 the individual or a member of the individual's immediate family was a sole  
12 or partial owner and from which the individual or member of the individual's  
13 immediate family received earned income, at any time during the reporting  
14 period.

15 b. A minor child's employment or business ownership need not be disclosed if  
16 the agency that employs the individual does not regulate, exercise authority  
17 over, or contract with the place of employment or business entity of the minor  
18 child.

19 9. A statement filed under this section may also include a schedule of additional  
20 interests or information that the individual making the statement wishes to  
21 disclose.

22 H. For ~~the~~ purposes OF Section 2.08.050 G.1., 2., and 3. of this chapter, the following  
23 interests are considered to be the interests of the individual making the statement:

24 1. An interest held by a member of the individual's immediate family; if the interest  
25 ~~was~~, at any time during the reporting period, ~~WAS~~ directly or indirectly controlled  
26 by the individual.

27 2. An interest held by a business entity in which the individual held a ~~thirty~~30  
28 percent or greater interest at any time during the reporting period.

29 3. An interest held by a trust or an estate in which, at any time during the reporting  
30 period:

31 a. The individual held a reversionary interest or was a beneficiary; or

32 b. If a revocable trust, the individual was a settlor.

33 I. The Commission shall review the financial disclosure statements submitted under this  
34 section for compliance with the provisions of this section and shall notify an individual  
35 submitting the statement of any omissions or deficiencies.

36 J. The Commission may take appropriate enforcement action to ensure compliance with  
37 this section.

38

39 **Section 2.08.051 - Financial disclosure for employees and appointed officials.**

40

41 A. This section applies to the following employees and appointed officials:

42 1. The City Manager, THE City Attorney, all department directors and deputies, and  
43 all members of the exempt service, ~~and~~

44 2. Members of the Board of Commissioners of the Housing Authority of the City of  
45 Annapolis (HACA), the Executive Director of HACA, and the Deputy Director(s)  
46 of HACA, ~~and~~

- 1 3. Inspectors and investigators who enforce THE City Codes, City Procurement  
2 Officers and their purchasing staff, and members of the following quasi-judicial  
3 boards and commissions: the Board of Appeals, the Civil Service Board, the  
4 Building Board of Appeals, the Historic Preservation Commission, the Planning  
5 Commission, the Board of Supervisors of Elections, the Ethics Commission, Port  
6 Wardens, and the Police and Fire Retirement Plan Commission, ~~and~~
- 7 4. All other City officials, employees, contract employees, or temporary employees  
8 over pay grade 15, F15 (Fire Department), and P15 (Police Department), or who  
9 have authority to award or recommend the award of contracts or grants, or who  
10 provide advice or counsel to the City on matters pertaining to public policy or  
11 acquisition, and
- 12 5. Members and employees of the quasi-judicial Alcoholic Beverage Control Board  
13 are exempt from this section but shall file financial disclosure statements with the  
14 State Ethics Commission in accordance with Maryland Public Ethics Law.

15 B. Financial disclosure statements filed under this section shall be filed with the  
16 Commission under oath or affirmation.

17 C. Employees and appointed officials included in paragraph A. above shall file a  
18 financial disclosure statement annually no later than January 31 of each year for the  
19 preceding calendar year. For new employees and appointed officials included in  
20 paragraph A. that have not already filed a financial disclosure statement, ~~such~~THE  
21 employees and appointed officials shall file a financial disclosure statement no later  
22 than ~~fifteen~~15 days after commencing employment or service pursuant to their  
23 appointment or within ~~fifteen~~15 days of the enactment of this ordinance.

24 D. The City Attorney's Office OF LAW shall:

- 25 1. Maintain all disclosure statements filed under this section as public records  
26 available for public inspection and copying as provided in Section 2.08.050 E. of  
27 this chapter.
- 28 2. Retain financial disclosure statements filed under this section as provided in  
29 Section 2.08.050 F. of this chapter.

30 E. Contents of statement.

- 31 1. Interests in real property.
  - 32 a. A statement filed under this section shall include a schedule of all interests  
33 in real property located in the State of Maryland.
  - 34 b. For each interest in real property, the schedule shall include:
    - 35 (1) The nature of the property and the location by street address and a  
36 description of the property;
    - 37 (2) The nature and extent of the interest held, including any conditions and  
38 encumbrances on the interest;
    - 39 (3) The date when, the manner in which, and the identity of the person  
40 from whom the interest was acquired;
    - 41 (4) The identity of any other person with an interest in the property.
- 42 2. Interests in corporations and partnerships.
  - 43 a. A statement filed under this section shall include a schedule of all interests  
44 in any corporation, partnership, limited liability partnership, or limited  
45 liability corporation, regardless of whether the corporation or partnership  
46 does business with the City. Interests in mutual funds are not reportable.

- 1           b. For each interest reported under this paragraph, the schedule shall include  
2           the name of the corporation, partnership, limited liability partnership, or  
3           limited liability corporation.
- 4        3. Gifts.
- 5           a. A statement filed under this section shall include a schedule of each gift in  
6           excess of ~~twenty dollars~~\$20.00 in value or a series of gifts totaling ~~one~~  
7           ~~hundred dollars~~\$100.00 or more received during the reporting period from or  
8           on behalf of, directly or indirectly, any one person who does business with  
9           the City.
- 10          b. For each gift reported, the schedule shall include:
- 11           (1) A description of the nature and value of the gift; and
- 12           (2) The identity of the person from whom, or on behalf of whom, directly  
13           or indirectly, the gift was received.
- 14        4. Employment with or interests in entities doing business with the City.
- 15           a. (1) A statement filed under this section shall include a schedule of all  
16           offices, directorships, and salaried employment by the individual or  
17           member of the immediate family of the individual held at any time during  
18           the reporting period with entities doing business with the City; and
- 19           (2) For a statement filed on or after January 1, 2019, if the individual's  
20           spouse is a regulated lobbyist, shall include a schedule of all entities that  
21           engaged the spouse for lobbying purposes.
- 22          b. For each position reported under this paragraph, the schedule shall include:
- 23           (1) The name and address of the principal office of the business entity;
- 24           (2) The title and nature of the office, directorship, or salaried employment  
25           held and the date it commenced; and
- 26           (3) The name of each City agency with which the entity is involved as  
27           indicated by identifying one or more of the three categories of "doing  
28           business", as defined in Section 2.08.020 A.4. of this chapter.
- 29        5. Indebtedness to entities doing business with City.
- 30           a. A statement filed under this section shall include a schedule of all liabilities,  
31           excluding retail credit accounts, to persons doing business with the City owed  
32           at any time during the reporting period:
- 33           (1) By the individual; or
- 34           (2) By a member of the immediate family of the individual if the individual  
35           was involved in the transaction giving rise to the liability.
- 36          b. For each liability reported under this paragraph, the schedule shall include:
- 37           (1) The identity of the person to whom the liability was owed and the date  
38           the liability was incurred;
- 39           (2) The amount of the liability owed as of the end of the reporting period;
- 40           (3) The terms of payment of the liability and the extent to which the  
41           principal amount of the liability was increased or reduced during the  
42           year; and
- 43           (4) The security given, if any, for the liability.
- 44        6. Employment with City. A statement filed under this section shall include a  
45           schedule of the immediate family members of the individual employed by the City  
46           in any capacity at any time during the reporting period.

1 7. Sources of earned income.

2 a. (1) A statement filed under this section shall include a schedule of the  
3 name and address of each place of employment and of each business  
4 entity of which the individual or a member of the individual's immediate  
5 family was a sole or partial owner and from which the individual or  
6 member of the individual's immediate family received earned income, at  
7 any time during the reporting period; and

8 (2) For a statement filed on or after January 1, 2019, if the individual's  
9 spouse is a regulated lobbyist, shall include a schedule of all entities that  
10 engaged the spouse for lobbying purposes.

11 b. A minor child's employment or business ownership need not be disclosed if  
12 the agency that employs the individual does not regulate, exercise authority  
13 over, or contract with the place of employment or business entity of the minor  
14 child.

15 8. A statement filed under this section may also include a schedule of additional  
16 interests or information that the individual making the statement wishes to  
17 disclose.

18 F. For the purposes Section 2.08.051 E.1. and 2. of this chapter, the following interests  
19 are considered to be the interests of the individual making the statement:

20 1. An interest held by a member of the individual's immediate family; if the interest  
21 was, at any time during the reporting period, directly or indirectly controlled by  
22 the individual.

23 2. An interest held by a business entity in which the individual held a ~~thirty~~30  
24 percent or greater interest at any time during the reporting period.

25 3. An interest held by a trust or an estate in which, at any time during the reporting  
26 period:

27 a. The individual held a reversionary interest or was a beneficiary; or

28 b. If a revocable trust, the individual was a settlor.

29 G. The Commission shall review the financial disclosure statements submitted under  
30 this section for compliance with the provisions of this section and shall notify an  
31 individual submitting the statement of any omissions or deficiencies.

32 H. The Commission may take appropriate enforcement action to ensure compliance with  
33 this section.

34  
35 **Section 2.08.070 - Lobbying disclosure and registration.**

36  
37 A. General requirements. Any person who appears before any official or employee of  
38 the City, with the intent to influence that person in the performance of that person's  
39 official duties and who, in connection with any such activities expends or reasonably  
40 expects to expend in any calendar year in excess of ~~two hundred fifty dollars~~\$250.00,  
41 on food, entertainment, or gifts for any officials or employees of the City, shall file a  
42 registration statement with the eCommission ~~not~~NO later than January 31st of the  
43 calendar year for which the statement is filed, or within fifteen days after the  
44 commencement of any activities regulated by this section.

45 B. Registration statement. The registration statement shall include complete  
46 identification of the registrant and of any other person on whose behalf the registrant

1 acts or will be acting. It shall also identify the subject matter on which the registrant  
 2 proposes to make these appearances, and shall cover a period not to exceed one  
 3 calendar year.

4 C. Report of activities. Registrants under this section shall file a report, not later than  
 5 January 31st of each year, covering activities for which they were registered for the  
 6 preceding year, disclosing the value, date and nature of any food, entertainment or  
 7 gifts provided to any City official or employee. When a gift or series of gifts to a single  
 8 official or employee exceeds ~~thirty five dollars~~ \$35.00 in value, the official or  
 9 employee shall also be identified.

10 D. No contingency fees. No person may engage in lobbying activities on behalf of  
 11 another person for compensation ~~of the payment of which~~ THAT is contingent upon  
 12 the passage or defeat of any action by the City Council.

13 E. Availability to public. The registrations and reports filed pursuant to this section shall  
 14 be maintained by the ~~City Attorney's~~ Office OF LAW; and shall be made available,  
 15 during normal office hours, for examination and copying by the public. All ~~such~~  
 16 registrations and reports shall be retained as public records for at least four years from  
 17 the date of their receipt by the Commission.

18 F. Forms. The Commission shall provide forms for use in the filing of the registration  
 19 statements and reports required by this section to the persons required to file ~~such~~ THE  
 20 statements and reports.

## 21 22 **Chapter 2.12 – MAYOR**

### 23 24 **Section 2.12.040 - ~~City Attorney~~ OFFICE OF LAW.**

25  
26 A. THE OFFICE OF LAW SHALL BE SUPERVISED BY THE CITY ATTORNEY,  
 27 WHO SHALL REPORT DIRECTLY TO THE MAYOR.

28  
29 B. The City Attorney shall be appointed by the Mayor and confirmed by the CITY  
 30 eCouncil and shall meet the qualifications set forth in the Charter.

31  
32 BC. The City Attorney'S ~~shall have the following~~ powers and duties IN THE  
 33 SUPERVISION OF THE OFFICE OF LAW INCLUDE THE POWER OR DUTY  
 34 TO:

- 35
- 36 1. ~~To~~ perform legal services for the City;
- 37 2. ~~To~~ perform advisory, documentary, and drafting services for the City;
- 38 3. ~~To~~ issue opinions upon questions affecting the interestS of the City;
- 39 4. ~~To~~ review and approve as to form and legal sufficiency each instrument to be  
 40 executed BY OR on behalf of the City;
- 41 5. ~~To~~ prepare and approve the title papers whenever the City purchases any real  
 42 estate and no contract shall be made or money paid on account of the purchase of  
 43 real property until the City Attorney certifies to the title of the property and legal  
 44 sufficiency of the deeds or other instruments intended to convey the property to  
 45 the City;

1           6. ~~To~~ assist the Mayor, Aldermen, AND ALDERWOMEN ~~and City Clerk~~ in the  
2           preparation of legislation.

3  
4           **2.12.050 - City Clerk.**

- 5  
6           A. The Mayor shall appoint a person to serve as City Clerk and a person to serve as  
7           ~~a~~Deputy City Clerk. The City Clerk and ~~a~~Deputy City Clerk shall take the oath  
8           prescribed by Article IX, Section 1 of the Charter.  
9           B. The City Clerk shall certify and attest to the actions of the City and its officials.  
10          C. The City Clerk shall keep permanent records of the proceedings of the City Council  
11          as well as of all the laws, ordinances, resolutions, and orders of the City Council.  
12          D. The City Clerk shall advertise all elections ~~which are~~ to be held under the Charter, and  
13          make A return of the ~~same~~ELECTIONS in the manner ~~now~~ provided for by the laws  
14          regulating elections.  
15          E. THE CITY CLERK SHALL ASSIST THE BOARD OF SUPERVISORS OF  
16          ELECTIONS; AND THE ALCOHOLIC BEVERAGE CONTROL BOARD.  
17          ~~E. The City Clerk shall prepare legislation at the request of the Mayor or any of the~~  
18          ~~Aldermen, for consideration by the City Council.~~  
19          F. The City Clerk shall be the custodian of the seal and of the permanent records and  
20          instruments of the City.  
21          G. The Deputy City Clerk shall have the same powers and obligations and shall perform  
22          the duties performed by the City Clerk, in the absence of the ~~e~~Clerk, as authorized by  
23          law.

24  
25           **TITLE 4 – ELECTIONS**

26  
27           **Chapter 4.20 – NOMINATIONS AND CANDIDACY**

28           **Section 4.20.130 - Certificates—Filing.**

29  
30           The board shall receive, file, and preserve all certificates of candidacy and of  
31           nomination. These certificates shall be kept as part of the records of the board for a period  
32           not to exceed five years or for at least one year beyond the length of the term of the public  
33           or party office for which every candidate to whom these certificates of candidacy and of  
34           nomination apply has offered their candidacies for nomination or election, regardless ~~if~~OF  
35           WHETHER the candidate is successful, unsuccessful, or resigns. Copies of these  
36           certificates SHALL BE certified by the City Clerk under ~~the seal of the clerk's office~~ AND  
37           shall be evidence in any court to the same extent as the original certificate.

38  
39           **TITLE 7 - BUSINESS LICENSES, TAXES, AND REGULATIONS**

40  
41           **Chapter 7.12 – ALCOHOLIC BEVERAGES**

42           **Section 7.12.090 - Alcoholic Beverage Control Board—Administration.**

43  
44           ~~The Office of the~~ City Clerk shall provide administrative support for the board.  
45           Testimony by a member of the board shall be inadmissible with regard to the exercise of  
46           the powers enumerated in Section 7.12.060(A)(1) and (2). Any and all investigations

1 conducted to ascertain compliance with the provisions of Article 2B of the Annotated Code  
2 of Maryland, ~~and with this eCode~~, and the board's rules and regulations shall be performed  
3 by or at the direction of the Police Department, ~~subject to the administration and~~  
4 ~~supervision of the Chief of Police and the Mayor as with all other activities of the~~  
5 ~~department.~~

## 6 7 **Chapter 7.44 – SOLICITORS**

### 8 **Section 7.44.010 - Registration—Required.**

9  
10 A person may not solicit or canvass ~~upon~~ **ON ANY PUBLIC WAY, INCLUDING the**  
11 **public streets, roads, highways, AND alleys, or on any public way or** by calling at  
12 residences, without the previous consent of the occupants, for the purpose of seeking  
13 donations of any kind, without first having registered in the ~~Office of the City Clerk~~ **LAW**  
14 and having received written approval of the Mayor. The registrant shall give complete  
15 identification, signature, name of employer, nature of the services in which the registrant  
16 is interested or the organization which the registrant is representing, and the proposed  
17 method of operation.

## 18 19 **TITLE 22 – ADEQUATE PUBLIC FACILITIES**

### 20 21 **Chapter 22.28 - MITIGATION**

#### 22 **Section 22.28.020 - Process.**

- 23
- 24 A. Mitigation consists of the construction or funding of improvements to onsite or offsite  
25 public facilities by an applicant that increase capacity or safety on each public facility  
26 that is below the minimum standard so that the capacity or safety of the facility after  
27 mitigation will be equal to or greater than if the proposed project had not been  
28 developed.
  - 29 B. To determine the appropriate forms and levels of mitigation, an applicant shall consult  
30 with the department responsible for review and assessment of each facility that would  
31 be deemed inadequate. Once the applicant and the department agree upon the forms  
32 and levels of mitigation that will offset the impact of the project upon the facility, the  
33 applicant shall enter into a mitigation plan on terms and conditions acceptable to the  
34 Department of Planning and Zoning in consultation with the Office of ~~the City~~  
35 ~~Attorney~~ **LAW**. The mitigation plan shall require the applicant to provide the  
36 mitigation agreed upon and in return the Department of Planning and Zoning shall  
37 determine that the facility or facilities will be adequate for the project.
  - 38 C. If a department finds that a facility is or would be inadequate as a result of more than  
39 one proposed project, the department may apportion the responsibility and cost of  
40 mitigation among all contributing projects, which apportionment shall be reflected in  
41 the applicable mitigation plans.
  - 42 D. Each mitigation plan shall be approved by the Director of Planning and Zoning as well  
43 as the department responsible for the facility for which the mitigation plan approval is  
44 sought. If a facility would be inadequate for a project, and if the project and the  
45 applicant are unable to agree upon acceptable forms and levels of mitigation for the  
46 facility such that no mitigation plan is entered into by the applicant, the department

1 shall determine that the facility is inadequate to support the project and shall forward  
2 a written copy of such findings and explanation to the Director of Planning and  
3 Zoning.

4

5

6 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**  
7 **THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date  
8 of its passage.

9

10

11

**EXPLANATION**

12

UPPERCASE indicates matter added to existing law.

13

~~Strikethrough~~ indicates matter stricken from existing law.

14

Underlining indicates amendments.

15