



STAFF REPORT ON PROPOSED LEGISLATION

To: Mayor Gavin Buckley

From: David Jarrell, City Manager

Date: June 7, 2021

Subject: O-21-21: Statement of Compliance

This ordinance removes the State of Compliance requirement in Section 2.08.060 of the City Code, which is required for certain City board and commission members prior to being sworn in as a member. This Statement of Compliance is not legally permissible under the Maryland Constitution and the Maryland Declaration of Rights.

The Ethics Commission during their May 17, 2021 meeting discussed the issue regarding the Statement of Compliance requirement of Ethics Code Section 2.08.060. The analysis provided in Assistant City Attorney Leonard's May 10, 2021 memorandum clearly provides that this City Code Section needs to be rescinded because it is not legally permissible under the Maryland Constitution. The Ethics Commission agrees with her analysis and will examine other alternatives for meeting the underlying requirements of the subject section.

Prepared by Ashley Leonard, Assistant City Attorney