

**TOWN OF CHEVERLY
ORDINANCE O-3-18
ETHICS ORDINANCE UPDATE**

An Ordinance whereby the Town Council amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest.

WHEREAS, Maryland Code, §§ 5-801, et seq., of the General Provisions Article requires municipal corporations to enact ethics laws and requires that the State Ethics Commission approve all municipal ethics ordinances; and

WHEREAS, the Maryland General Assembly enacted House Bill 879 during the 2017 legislative session, which added new laws to the Maryland Public Ethics Law and requires local governments to incorporate certain changes into their respective ethics ordinances; and

WHEREAS, the Council finds it necessary and in the public interest to amend Chapter 3 of the Town of Cheverly Code to comply with the State-mandated ethics code requirements

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cheverly in regular session assembled that Chapter 3 is hereby amended as follows:

Chapter 3 - CODE OF ETHICS

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Sec. 3-6. - Conflicts of interest and prohibitions.

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(b) Unless otherwise permitted by Commission regulation or opinion or in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter at issue, an official or employee may not participate on behalf of the town in:

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(5) A former regulated lobbyist who is or becomes subject to this chapter as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.

(65) All persons subject to this chapter shall file a statement with the Commission disclosing any interest or employment, the holding of which would require disqualification from participation pursuant to section 3-6 of this chapter, as soon as possible and at least seven (7) days before such matter is scheduled to occur.

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(d) Post-employment limitations and restrictions.

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(2) Until the conclusion of twelve (12) months after the elected official leaves office, a former official or employee of the town A former elected official may not assist or represent another party for compensation in a matter that is subject of legislative action for one calendar year after the elected official leaves office.

(f) Use of prestige of office

(1) a. An official or employee may not intentionally use the prestige of office or public position for:

1. For the private gain of that official or employee or the private gain of another; or

2. To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a state or local contract to a specific person.

b. An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

(2) This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

(3) a. An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.

b. An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.

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Sec. 3-9. - Filing of financial disclosure statement by elected officials and candidates.

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(c) The Commission or office designated by the Commission shall maintain all financial disclosure statements filed under this section. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Commission.

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(3) For statements filed after January 1, 2019, the Commission or the office designated by the Commission may not provide public access to an individual's home address that the individual has designated as the individual's home address.

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(e) At a minimum the financial disclosure statement form shall contain the following information:

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(6) Indebtedness to entities doing business with or regulated by the individual's town unit or department.

a. A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with or regulated by the individual's town unit or department owed at any time during the reporting period:

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(8) Sources of earned income

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

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

c. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the Town of Cheverly, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.

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AND BE IT FURTHER ORDAINED that this Ordinance shall take effect 20 days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the Town and otherwise be made available to the public.

INTRODUCED by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on April 12, 2018.

ADOPTED by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on June 14, 2018.