

**CITY OF BALTIMORE
COUNCIL BILL 19-0375
(First Reader)**

Introduced by: Councilmember Sneed, Ex Officio President Middleton, Councilmembers Henry, Scott, Pinkett, Dorsey, Bullock, Cohen, Burnett, Clarke, Reisinger, Stokes

Introduced and read first time: April 22, 2019

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Human Resources, Department of Finance, Board of Ethics

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore City Residency Requirements – Prohibition Against Purposeful Evasion**

3 FOR the purpose of prohibiting a re-organization or shift in staff reporting requirements in order
4 to purposefully evade the Baltimore City residency requirements; and establishing that a
5 violation of that prohibition is a ethics violation enforceable under the City Ethics Code.

6 BY repealing and reordaining, with amendments

7 Article 1 - Mayor, City Council, and Municipal Agencies

8 Section 7-10

9 Baltimore City Code

10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
12 Laws of Baltimore City read as follows:

13 **Baltimore City Code**

14 **Article 1. Mayor, City Council, and Municipal Agencies**

15 **Subtitle 7. City Officers and Employees**

16 **§ 7-10. Residency requirements for City officials.**

17 (a) *Definitions.*

18 (1) *In general.*

19 In this section, the following terms have the meanings indicated.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (2) *Agency*.

2 “Agency” means any department, any bureau or division within a department, and any
3 board, commission, authority, council, committee, office, or other unit of City
4 government.

5 (3) *Official*.

6 “Official” means:

7 (i) the head of an agency who reports directly to the Mayor; and

8 (ii) any at-will supervisory employee who reports directly to the Mayor or to the
9 head of an agency.

10 (b) *Residency requirements*.

11 Every official:

12 (1) must be a resident and registered voter of Baltimore City at the time of his or her
13 appointment, except only as otherwise authorized by subsection (c) of this section;
14 and

15 (2) must remain a resident and registered voter of Baltimore City throughout his or
16 her entire term of office.

17 (c) *Qualified, short-term exception*.

18 (1) *In general*.

19 Subsection (b)(1) of this section does not apply to an official who, before her or his
20 appointment, signs a declaration of intent to become a City resident and registered
21 voter within 6 months of the effective date of her or his appointment.

22 (2) *Termination for failure to timely comply*.

23 If the official fails to abide by this declaration of intent within the 6-month period, the
24 official’s appointment is automatically terminated at the end of that period.

25 (D) *PROHIBITED ACT*.

26 (1) *IN GENERAL*.

27 NO PERSON MAY REORGANIZE OR OTHERWISE SHIFT INTRA-AGENCY STAFF REPORTING
28 ASSIGNMENTS TO PURPOSEFULLY EVADE THE RESIDENCY REQUIREMENTS OF THIS
29 SECTION FOR HIMSELF, HERSELF, OR OTHERS.

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1 (2) *ENFORCEMENT.*

2 A VIOLATION OF THIS SUBSECTION IS AN ETHICS VIOLATION AND ENFORCEABLE BY THE
3 BALTIMORE CITY BOARD OF ETHICS UNDER CITY CODE ARTICLE 8, SUBTITLE 9
4 {"ETHICS - ENFORCEMENT"}.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
6 are not law and may not be considered to have been enacted as a part of this or any prior
7 Ordinance.

8 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
9 after the date it is enacted.