

Stephan W. Fogleman, Chair
Donna M. Davis, Vice-Chair
Melodie Hengerer
Arnold Sampson
Vacant



Director: J. Christoph Amberger

BALTIMORE CITY BOARD OF ETHICS

March 14, 2023

Via Electronic Mail

The Honorable President
Members of the City Council
c/o Natawna Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday St.
Baltimore, MD 21202

Re: City Council Bill 23-0347 (“Department of Business Licensing and Consumer Protection”)

Dear President and City Council Members:

The Ethics Board has reviewed City Council Bill 23-0347 (“Bill”). The Bill establishes the Baltimore City Department of Business Licensing and Consumer Protection (“Department”) as an independent agency, provides for the appointment of a Director, and creates a Baltimore City Business Licensing and Consumer Protection Board (“Board”). Among other provisions concerning the administration of the Department and Board, the Bill also amends the Ethics Law—specifically, Section 7-8 of Article 8 of the City Code—to require the Director of the Department, all Bureau Heads, Directors, and Division Chiefs of Department (sic), members of the Board, and all non-clerical employees¹ of the Department to file the financial disclosure statements required by the subtitle.

The Ethics Law requires many City officials and employees to file annual financial disclosure statements, including the members of many City boards and commissions. City Code, Article 8, Subtitle 7. The public disclosure of public servants’ financial and other interests furthers the purpose of the Ethics Law, which is “[t]o guard against improper influence or even the appearance of improper influence, and to ensure public trust in government.” City Code, Art. 8, § 1-2(2). The process of financial disclosure assists in identifying potential conflicts of interest between City duties and private interests. Because individuals within the Department and on the Board will be involved in the development and implementation of City policy and programs, among other responsibilities, it furthers the purpose of the Ethics Law to require these individuals to disclose their financial interests.

¹ The term “non-clerical employee” means any City official or employee “who: (1) is compensated for his or her services; and (2) is not employed solely in a secretarial, clerical, or custodial capacity.” City Code, Art. 8, § 7-6(b).

Baltimore City Board of Ethics

100 N. Holliday St., Suite 635 / Baltimore, MD 21202

ethics@baltimorecity.gov

www.ethics.baltimorecity.gov

410-396-7986

There is likely minimal fiscal or administrative impact in requiring these additional individuals to file financial disclosure statements. The Ethics Board, in collaboration with Baltimore City Information Technology, provides an online financial disclosure filing website. City officials and employees, including members of City boards and commissions, can easily create an account and file their disclosure statement online, which is then viewable by Ethics Board staff and members of the public who have registered for viewer accounts.

Accordingly, although the Ethics Board does not take a position on the Bill, the Bill's financial disclosure requirements are consistent with the Ethics Law's substance and administration.

Sincerely,



J. Christoph Amberger
Director, Ethics Board

Cc: Stephan Fogleman, Ethics Board Chair
Members of the Ethics Board
Isabel Cumming, Ethics Board Executive Director
Nina Themelis, Deputy Director, Mayor's Office of Government Affairs