

**CITY OF BALTIMORE
COUNCIL BILL 20-0504
(Resolution)
(Charter Amendment)**

Introduced by: Councilmembers Dorsey, Henry, Sneed, Reisinger

Introduced and read first time: February 24, 2020

Assigned to: Equity and Structure Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Finance

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – City Council – Composition**

3 FOR the purpose of increasing the size of the City Council to 15 members elected from districts;
4 requiring that the City Council President be elected by the City Council from among its
5 members every 2 years; clarifying the terms and the manner of election for the Council Vice
6 President and the Council representative to the Planning Commission; allowing for the City
7 Council to remove a member from the position of President; specifying that the City Council
8 elect an individual to fulfill a mayoral vacancy; conforming and clarifying related provisions;
9 and submitting this amendment to the qualified voters of the City for adoption or rejection.

10 BY proposing to amend

11 Article III - City Council
12 Section(s) 1, 2, 3, 4, 10
13 Baltimore City Charter
14 (1996 Edition)

15 BY proposing to amend

16 Article IV - Mayor
17 Section(s) 2
18 Baltimore City Charter
19 (1996 Edition)

20 BY proposing to amend

21 Article VII - Executive Departments
22 Section(s) 71(a)
23 Baltimore City Charter
24 (1996 Edition)

25 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
26 City Charter is proposed to be amended to read as follows:

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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Baltimore City Charter

Article III. City Council

§ 1. Legislative Department; Qualification and salary of members.

(a) *Legislative Department.*

The Legislative Department of the City shall be the City Council, which shall consist of a single chamber.

(b) *Qualifications.*

Members of the City Council [, except the President whose qualifications are provided for in Section 3,] shall be citizens of the United States, at least 18 years old, and registered voters of Baltimore City. They also shall be residents of the districts the members have been chosen to represent for at least 1 year next preceding their election, except as provided in Section 7(e), and during their term of office.

(c) *Salaries.*

The salary of each member shall be set as provided in Article VII, §§ 117 through 125 of this Charter.

§ 2. Members.

(a) *Election and term.*

(1) The voters shall elect the members of the City Council on the Tuesday next after the first Monday in November 2016, and on the same day and month in every succeeding fourth year.

(2) Their term of office shall commence on the Thursday next after the first Monday in December succeeding their election and shall continue for 4 years.

(b) *Number.*

The Council shall consist of [fourteen] 15 members [in addition to the President]. There shall be [fourteen] 15 districts with one member elected from each district.

(c) *Districts.*

The election of members shall be held by council districts, and no person is entitled to vote for any member of the City Council other than member for the district in which the voter is registered.

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§ 3. President.

(a) *Election, [qualifications,] duties, etc.*

[At the same time that they elect the members, the voters shall elect from Baltimore City at large, a person to be the President of the City Council, who shall possess the qualifications required for the Mayor of the City. It shall be the President's duty to preside over the City Council, vote on all questions and perform such other duties as may be prescribed by law. The salary of the President shall be set in the Ordinance of Estimates.]

AT ITS FIRST REGULAR SESSION IN EACH EVEN-NUMBERED CALENDAR YEAR, THE CITY COUNCIL SHALL, BY A MAJORITY VOTE OF ITS MEMBERS, APPOINT FROM ITS MEMBERS A PRESIDENT WHO SHALL PRESIDE OVER THE CITY COUNCIL, VOTE ON ALL QUESTIONS, AND PERFORM OTHER DUTIES AS PRESCRIBED BY LAW.

(b) *Removal.*

[The City Council, by a two-thirds vote of its members, may remove the President of the City Council from office for incompetency, wilful neglect of duty or misdemeanor in office upon charges preferred by the Mayor, after notice of such charges, and an opportunity to be heard by the City Council, are given to the President.]

THE CITY COUNCIL, BY A TWO-THIRDS VOTE OF ITS MEMBERS, MAY REMOVE THE PRESIDENT OF THE CITY COUNCIL FROM HIS OR HER POSITION AS PRESIDENT.

(c) *CONSECUTIVE TERMS PROHIBITED.*

A MEMBER MAY NOT BE ELECTED TO OR SERVE CONSECUTIVE FULL TERMS AS PRESIDENT OF THE CITY COUNCIL.

§ 4. Vacancy in presidency.

If [it becomes necessary for] the President of the City Council IS ELECTED UNDER ARTICLE IV, § 2(A) OF THIS CHARTER to fill the unexpired term of the Mayor, or in case of the death, resignation, removal, or other disqualification of the President, the City Council, by a majority vote of its members, shall elect A COUNCILMEMBER TO SERVE as a new president for the unexpired term. [The person so elected as President may, but need not, be, at the time of election, a member of the City Council.]

§ 10. Procedures; Council officers.

(a) *Attendance of members.*

The City Council may compel the attendance of absent members in [such] A manner and under [such] ANY penalties [as it may provide] PROVIDED by ordinance.

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1 (b) *Vice-President — in general.*

2 AT ITS FIRST REGULAR SESSION IN EACH EVEN-NUMBERED CALENDAR YEAR, THE [The]
3 City Council, by a majority vote of its members, shall appoint from its members a
4 Vice-President, who in the absence, sickness, or TEMPORARY disqualification of the
5 President shall preside at all its meetings. The Vice-President also shall be an acting
6 member of the Board of Estimates in the absence, sickness, or temporary disqualification
7 of the President.

8 (c) *Vice-President — as acting Mayor.*

9 In case of, and during, necessary absence, sickness or the temporary disqualification of
10 both the Mayor and the President of the City Council, the Vice-President shall be acting
11 Mayor.

12 (d) *Judge of member qualifications; Discipline.*

13 The City Council shall be judge of the election and qualifications of its members, subject
14 to appeal by petition of the party aggrieved as provided by law. With the concurrence of
15 three-fourths of its members, the City Council may expel any member for disorderly
16 behavior or misconduct in office, but not a second time for the same offense.

17 (e) *Rules of procedure; Officers.*

18 The City Council shall adopt rules of procedure not inconsistent with the Charter, appoint
19 its own officers, regulate their respective compensation, not to exceed in the aggregate the
20 amount appropriated therefor in the Ordinance of Estimates, and remove them at
21 pleasure.

22 (f) *Journal of proceedings; Public deliberations.*

23 The City Council shall keep a journal of its proceedings and enter yeas and nays on any
24 question, resolution or ordinance at the request of any member, and the deliberations of
25 the City Council shall be public.

26 **Article IV. Mayor**

27 **§ 2. Vacancy or absence.**

28 (a) *Vacancy.*

29 In case of vacancy in the office of the Mayor by death, resignation, or permanent
30 disqualification, [the President of the City Council shall be Mayor for the remainder of
31 the term for which the Mayor was elected] THE CITY COUNCIL, BY A MAJORITY VOTE OF
32 ITS MEMBERS, SHALL ELECT AN INTERIM MAYOR TO SERVE FOR THE UNEXPIRED TERM.
33 THE PERSON ELECTED BY THE CITY COUNCIL AS MAYOR MAY, BUT NEED NOT BE, AT THE
34 TIME OF ELECTION, A MEMBER OF THE CITY COUNCIL.

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1 (b) *Absence.*

2 In case of, and during, sickness, temporary disqualification or necessary absence of the
3 Mayor, the President of the City Council shall be ex officio Mayor of the City.

4 **Article VII. Executive Departments**

5 ***Department of Planning***

6 **§ 71. Department of Planning: Commission – Composition, appointment, terms.**

7 (a) *In general.*

8 (1) The Planning Commission [shall consist] CONSISTS of THE FOLLOWING [nine] 9
9 members[,]:

10 (I) [one of whom shall be] the Director of Public Works, ex officio[,];

11 (II) [one of whom shall be] the Mayor of [the] BALTIMORE City, ex officio[,];
12 [and]

13 (III) [one of whom shall be] a member of the City Council [ex officio], [who shall
14 be] TO BE elected by [that body,] THE CITY COUNCIL AT ITS FIRST REGULAR
15 SESSION IN EACH EVEN-NUMBERED CALENDAR YEAR; and

16 (IV) [six of whom shall be] 6 MEMBERS appointed[, must be] BY THE MAYOR AND
17 confirmed[, and shall serve, pursuant to] BY THE CITY COUNCIL UNDER Article
18 IV, Section 6.

19 (2) 6 APPOINTED MEMBERS SERVE FOR A TERM OF 4 YEARS. The terms of [three] 3
20 appointed members [shall] expire on the last day of the year in which the term of the
21 Mayor begins [pursuant to Article IV, Section 1], and the [four year] terms of [three]
22 THE OTHER 3 appointed members [shall] expire [two] 2 years [thereafter] LATER.

23 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
24 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
25 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
26 City Solicitor.