

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 20-0562

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

Introduced and read first time: July 13, 2020

Assigned to: Labor Committee

Committee Report: Favorable

Council action: Adopted

Read second time: September 21, 2020

AN ORDINANCE CONCERNING

1 **Baltimore City Police Officials – Residency Requirements**

2 FOR the purpose of establishing residency requirements for certain Baltimore Police Department
3 command staff; providing exceptions to these residency requirements; defining certain terms;
4 providing for the prospective application of this Ordinance; generally relating to residency
5 requirements, as limited by State law, for certain Baltimore Police Department employees;
6 and providing for a special effective date.

7 BY authority of
8 The Public Local Laws of Baltimore City
9 Section 16-1(6), (7), (8), and 16-2A
10 Article 4 – Public Local Laws of Maryland
11 (As Amended by Ch. 512, Acts of 2020)

12 BY renaming
13 Article 1 - Mayor, City Council, & Municipal Agencies
14 Section 7-10 (Residency Requirements for City Officials)
15 to be
16 Section 7-10 (Residency Requirements for City Officials – Generally)
17 Baltimore City Code
18 (Edition 2000)

19 BY adding
20 Article 1 - Mayor, City Council, & Municipal Agencies
21 Section 7-11
22 Baltimore City Code
23 (Edition 2000)

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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Baltimore City Code

Article 1. Mayor, City Council, & Municipal Agencies

Subtitle 7. City Officers & Employees

§ 7-10. Residency requirements for City officials – GENERALLY.

. . . .

§ 7-11. RESIDENCY REQUIREMENTS – POLICE DEPARTMENT COMMAND STAFF.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) *COMMAND STAFF MEMBER.*

“COMMAND STAFF MEMBER” MEANS:

(I) A MEMBER OF THE BALTIMORE POLICE DEPARTMENT WITH THE RANK OF COLONEL; OR

(II) A MEMBER OF THE BALTIMORE POLICE DEPARTMENT WITH THE RANK OF DEPUTY COMMISSIONER.

(B) *RESIDENCY REQUIREMENTS.*

(1) *SCOPE.*

NOTHING IN THIS SECTION APPLIES TO A COMMAND STAFF MEMBER WHO:

(I) ON JANUARY 1, 2022, HELD THE RANK OF COLONEL; AND

(II) WAS SUBSEQUENTLY PROMOTED TO THE RANK OF DEPUTY COMMISSIONER.

(2) *IN GENERAL.*

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, EACH COMMAND STAFF MEMBER MUST:

(I) BE A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY AT THE TIME OF THE COMMAND STAFF MEMBER’S APPOINTMENT; AND

(II) REMAIN A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY THROUGHOUT THE COMMAND STAFF MEMBER’S ENTIRE TERM OF OFFICE.

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1 (3) *TIMING OF COMPLIANCE.*

2 AN INDIVIDUAL HAS 120 DAYS AFTER THE DATE OF HIRE FOR OR PROMOTION TO A
3 COMMAND STAFF MEMBER POSITION TO BEGIN TO RESIDE IN BALTIMORE CITY.

4 (C) *WAIVER OF RESIDENCY REQUIREMENTS.*

5 IF A COMMAND STAFF MEMBER IS MARRIED TO AN INDIVIDUAL WHO IS EMPLOYED BY A
6 GOVERNMENTAL ENTITY THAT HAS SIMILAR RESIDENCY REQUIREMENTS AS THOSE IN
7 SUBSECTION (B) OF THIS SECTION, THE POLICE COMMISSIONER OR THE POLICE
8 COMMISSIONER’S DESIGNEE MAY GRANT THAT COMMAND STAFF MEMBER A WAIVER FROM
9 THE REQUIREMENTS IN SUBSECTION (B) OF THIS SECTION.

10 (D) *TERMINATION FOR FAILURE TO COMPLY.*

11 IF A COMMAND STAFF MEMBER FAILS TO COMPLY WITH THIS SECTION THE COMMAND
12 STAFF MEMBER IS AUTOMATICALLY TERMINATED.

13 (E) *ANNUAL REPORTING REQUIREMENT.*

14 NO LATER THAN JUNE 30 OF EACH YEAR, THE POLICE COMMISSIONER OR THE POLICE
15 COMMISSIONER’S DESIGNEE SHALL SUBMIT A REPORT TO THE MAYOR AND CITY COUNCIL
16 DETAILING THE RESIDENCY AND VOTER REGISTRATION STATUS OF ALL COMMAND STAFF
17 MEMBERS.

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance applies only prospectively
19 and may not be applied or interpreted to have any effect or application to the continued
20 employment at the same level of any individual who, before the effective date of this Ordinance,
21 is employed by the Baltimore Police Department as a member of its “command staff” as that
22 term is defined in this Ordinance.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
24 are not law and may not be considered to have been enacted as part of this or any prior
25 Ordinance.

26 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on January 1,
27 2022.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City