

1 City of Glenarden, Maryland  
2 2014 Legislation  
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6 Charter Resolution #: CR-01-2014  
7 Sponsor: Councilman James Herring  
8 Co-Sponsor:  
9 Session: Regular Session  
10 Date of Introduction: February 10, 2014  
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12  
13 Charter Resolution  
14

15 **A Charter Resolution to Amend Article IX "Personnel".**

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17 **WHEREAS**, the City of Glenarden is a municipal corporation of the State of Maryland,  
18 operating under Article XI-E of the Constitution of Maryland and §5-201 *et seq.* of the  
19 Local Government Article, Annotated Code of Maryland, as amended; and  
20

21 **WHEREAS**, under Section 404 of the City Charter, the Chief of Police serves at the  
22 pleasure of the Mayor; and  
23

24 **WHEREAS**, a different procedure for removal applies to the City Manager (Section 505 of  
25 the Charter) and the Treasurer (Section 833 of the Charter); and  
26

27 **WHEREAS**, the Council has determined that the procedure for removal of the City  
28 Manager, Treasurer and Chief of Police should be the same.  
29

30 **NOW, THEREFORE BE IT RESOLVED AND ORDAINED** that Article IV "The  
31 Mayor", Section 404 "Powers and duties generally" be repealed, re-enacted and amended  
32 to read as follows:  
33

34 Section 404 Powers and duties generally.

35 (a) \* \* \*

36 (b) The Mayor, on the recommendation of the City Manager and with the approval of  
37 the Council, shall appoint the heads of all offices, departments, and agencies of the  
38 City government as established by this Charter or by ordinance. All office,  
39 department, and agency heads shall serve at the pleasure of the Mayor EXCEPT AS  
40 OTHERWISE REQUIRED BY THIS CHARTER. All subordinate officers and  
41 employees of the offices, departments and agencies of the City government shall be  
42 appointed and removed by the Mayor, in accordance with rules and regulations in  
43 any merit system which may be adopted by the Council.

44 (c) through (f) \* \* \*  
45

46 **BE IT FURTHER RESOLVED AND ORDAINED** that Article IX "Personnel" be  
47 repealed, re-enacted and amended to add section 907 as follows:  
48

CAPS

[Brackets]

Asterisks \* \* \*  
Ordinance.

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in

2  
3 SECTION 907. REMOVAL OF CHIEF OF POLICE.

4  
5 THE MAYOR AND COUNCIL MAY REMOVE THE CHIEF OF POLICE  
6 FROM OFFICE IN ACCORDANCE WITH THE FOLLOWING PROCEDURES:

7  
8 (A). THE MAYOR SHALL SUBMIT TO THE COUNCIL A RESOLUTION TO  
9 CONSIDER REMOVAL OF THE CHIEF OF POLICE, WHICH MUST STATE THE  
10 REASONS FOR REMOVAL, A COPY OF WHICH SHALL BE DELIVERED TO THE  
11 CHIEF OF POLICE AS SOON AS PRACTICABLE. THE MAYOR'S RESOLUTION TO  
12 CONSIDER REMOVAL OF THE CHIEF OF POLICE SHALL NOT REQUIRE THE  
13 APPROVAL OF THE COUNCIL. AFTER SUBMITTING TO THE COUNCIL A  
14 RESOLUTION TO CONSIDER REMOVAL OF THE CHIEF OF POLICE, THE  
15 MAYOR MAY SUSPEND THE CHIEF OF POLICE FROM DUTY WITH PAY FOR A  
16 PERIOD NOT TO EXCEED FORTY-FIVE DAYS PENDING COUNCIL ACTION ON  
17 A FINAL RESOLUTION OF REMOVAL.

18  
19 (B). ALTERNATIVELY, THE COUNCIL SHALL ADOPT BY AN  
20 AFFIRMATIVE VOTE OF A MAJORITY OF ALL OF ITS MEMBERS A  
21 RESOLUTION TO CONSIDER REMOVAL OF THE CHIEF OF POLICE, WHICH  
22 MUST STATE THE REASONS FOR REMOVAL AND MAY SUSPEND THE CHIEF  
23 OF POLICE FROM DUTY WITH PAY FOR A PERIOD NOT TO EXCEED FORTY-  
24 FIVE DAYS. SUCH RESOLUTION AND SUSPENSION SHALL NOT REQUIRE THE  
25 APPROVAL OF THE MAYOR. A COPY OF THE RESOLUTION TO CONSIDER  
26 REMOVAL SHALL BE DELIVERED TO THE CHIEF OF POLICE AS SOON AS  
27 PRACTICABLE.

28  
29 (C). WITHIN FIVE DAYS AFTER A COPY OF THE RESOLUTION TO  
30 CONSIDER REMOVAL IS DELIVERED TO THE CHIEF OF POLICE, HE OR SHE  
31 MAY FILE WITH THE COUNCIL A WRITTEN REQUEST FOR A HEARING. THIS  
32 HEARING SHALL BE HELD AT A CLOSED SESSION COUNCIL MEETING NO  
33 LATER THAN 20 DAYS AFTER THE REQUEST IS FILED. THE CHIEF OF POLICE  
34 MAY FILE WITH THE COUNCIL A WRITTEN REPLY TO THE RESOLUTION TO  
35 CONSIDER REMOVAL NOT LATER THAN FIVE DAYS BEFORE THE HEARING.

36  
37 (D). THE COUNCIL MAY ADOPT A FINAL RESOLUTION OF REMOVAL,  
38 WHICH MAY BE MADE EFFECTIVE IMMEDIATELY, BY AFFIRMATIVE VOTE  
39 OF A MAJORITY OF ALL ITS MEMBERS AND APPROVAL BY THE MAYOR, AT  
40 ANY TIME AFTER FIVE DAYS FROM THE DATE WHEN A COPY OF THE  
41 RESOLUTION TO CONSIDER REMOVAL WAS DELIVERED TO THE CHIEF OF  
42 POLICE, IF A CLOSED SESSION HEARING HAS NOT BEEN REQUESTED, OR  
43 ANY TIME AFTER THE CLOSED SESSION HEARING, IF ONE HAS BEEN  
44 REQUESTED.

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2  
3 **NOW, THEREFORE BE IT FURTHER RESOLVED AND ORDAINED**, by the City  
4 Council of Glenarden, Maryland that the amendment to the Charter of the City of  
5 Glenarden, hereby

6  
7 proposed by this enactment, adopted this 1<sup>st</sup> day of April, 2014,  
8 shall be and become effective upon the fiftieth (50<sup>th</sup>) day after its adoption by the City  
9 Council unless petitioned to referendum in accordance with §4-301 *et seq.* of the Local  
10 Government Article, Annotated Code of Maryland, within forty (40) days following its  
11 adoption. A complete and exact copy of this Charter Resolution shall be posted in the City  
12 offices located at 8600 Glenarden Parkway, Glenarden, Maryland for forty (40) days  
13 following its adoption by the Council and a fair summary of the Charter Resolution shall be  
14 published in a newspaper having general circulation in the City not less than four (4) times,  
15 at weekly intervals, also within the forty (40) day period following its adoption by the City.

16  
17 Date Approved: February 10, 2014

18  
19 ATTEST:

20 Toni Taylor  
21  
22 Toni Taylor, Clerk to the Council

**City Council of Glenarden, MD**

Carolyn Smallwood  
Carolyn Smallwood, President

-NO-

Elaine Carter, Vice President

Judy C. Diggs  
Judy Diggs, Councilwoman at Large

Deborah Eason  
Deborah Eason, Councilman - Ward II

James Herring  
James Herring, Councilman - Ward I

-NO-

Jennifer Jenkins, Councilwoman - Ward III

-NO-

Maxine Phifer, Councilwoman at Large

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