

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 35

Resolution No. 37-19

Introduced by the Entire Council

By the County Council, September 3, 2019

A RESOLUTION ENTITLED
Charter Amendment – Executive Branch – Appointment and Confirmation of Certain
Department Heads

1 RESOLUTION proposing an amendment to the Charter of Anne Arundel County to
2 add a requirement that the County Council confirm the County Executive’s appointments
3 of the County Attorney, Chief of Police, and Fire Chief and to allow the County Council
4 to prevent removal of a County Attorney appointed by the County Executive
5

6 *Be it resolved by the County Council of Anne Arundel County, Maryland, That the*
7 *following amendments to the Anne Arundel County Charter are proposed for submission*
8 *to the qualified voters of the County at the General Election in November 2020:*
9

10 **Article IV. The County Executive**

11
12 **Sec. 405. Powers and duties of the office.**

13
14 The County Executive shall be responsible for the proper and efficient administration
15 of such affairs of the County as are placed in the charge or under the jurisdiction and control
16 of the County Executive under this Charter or by law. In addition to and not by way of
17 limitation of the County Executive’s general duties of supervision and management of the
18 executive branch of the County government, the County Executive shall have the following
19 express responsibilities, duties, and powers:
20

21 (a) To supervise, direct and control, subject to law and the provisions of this Charter,
22 the executive branch of the County and to appoint and remove the Chief Administrative
23 Officer, Public Information Officer, Legislative Liaison Officer, Economic Development
24 Officer, ~~[[the County Attorney, the]]~~ Planning and Zoning Officer, Administrative Hearing
25 Officer, Director of Public Works, Director of Inspections and Permits, ~~[[Chief of Police,~~
26 ~~Fire Administrator,]]~~ Director of Recreation and Parks, and ~~[[the]]~~ Director of Aging;
27

28 (B) TO APPOINT, SUBJECT TO CONFIRMATION BY RESOLUTION OF THE COUNTY
29 COUNCIL, THE COUNTY ATTORNEY, CHIEF OF POLICE, AND FIRE CHIEF;

Title V. The Executive Branch

Sec. 525. The County Attorney.

The Office of Law shall be administered by the County Attorney, WHO SHALL BE APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL. The County Attorney shall be a resident of the County and a member in good standing of the Bar of the Court of Appeals and of the Circuit Court for Anne Arundel County, and shall have been actively engaged in the general practice of his profession in the State of Maryland for at least five years prior to appointment. The County Attorney shall serve on a full-time basis and shall not engage in the private practice of law while County Attorney. THE COUNTY ATTORNEY SHALL SERVE AT THE PLEASURE OF THE COUNTY EXECUTIVE AND MAY BE REMOVED BY THE COUNTY EXECUTIVE, UNLESS THE COUNTY COUNCIL, BY RESOLUTION ON THE AFFIRMATIVE VOTE OF NOT LESS THAN FIVE MEMBERS, VOTES TO PREVENT REMOVAL OF A COUNTY ATTORNEY APPOINTED BY THE COUNTY EXECUTIVE.

Sec. 543. Chief of Police.

The Police Department shall be commanded and administered by a Chief of Police, who shall be experienced in the command of uniformed patrol and the detection and investigation of crime. The Chief of Police shall be appointed by the County Executive AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL, solely on the basis of the individual's qualifications for the duties of the office.[[, and]] THE CHIEF OF POLICE SHALL be responsible directly to the Chief Administrative Officer[. All]] AND ALL orders to the Police Department from the Chief Administrative Officer shall be directed through the Chief of Police or an officer acting in his absence. The Chief of Police shall be responsible for the efficiency, good conduct and discipline of the Department. Disobedience to the lawful commands or the rules and regulations of the Chief of Police shall be ground for removal or other disciplinary action.

Sec. 545. Fire Chief.

The Fire Department shall be administered by a Fire Chief, who shall be appointed by the County Executive AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL. The appointment shall be made solely on the basis of the individuals qualifications for the duties of the office. In making this appointment, the County Executive may consider, but shall not be restricted to persons who are recommended by the Fire Advisory Board. The Fire Chief shall be responsible directly to the County Executive.

And be it further resolved, That the following question is adopted for submittal to the qualified voters of the County at the General Election in November 2020 for their adoption or rejection:

“To amend the Anne Arundel County Charter to require County Council confirmation of the County Executive’s appointments of the County Attorney, Chief of Police, and Fire Chief and to allow the County Council, by resolution on the affirmative vote of not less than five members, to prevent removal of a County Attorney appointed by the County Executive.”

1 *And be it further resolved*, That this question shall be designated as Question “ ___ ”
2 on the ballot at the General Election in November 2020.

3
4 *And be it further resolved*, That if the majority of qualified votes cast in the election
5 are for the Charter Amendment, this amendment shall stand adopted from and after the 30th
6 day following the election.

READ AND PASSED this 16th day of September, 2019

By Order:



JoAnne Gray
Administrative Officer

I HEREBY CERTIFY THAT RESOLUTION NO. 37-19 IS TRUE AND CORRECT AND DULY
ADOPTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY.



Andrew Pruski
Chairman