

ORDINANCE NO. 1187

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING CHAPTER 2 (ADMINISTRATION), § 2-14 (ETHICS) OF THE CODE OF THE CITY OF CAMBRIDGE, MARYLAND FOR THE PURPOSES OF PROVIDING THAT THE CONFLICT OF INTEREST AND FINANCIAL REPORTING PROVISIONS THEREOF SHALL APPLY TO THE BOARD OF DIRECTORS OF CAMBRIDGE WATERFRONT DEVELOPMENT, INC., SUBJECT TO CERTAIN CONDITIONS, AND EXPANDING THE DEFINITION OF “QUALIFIED RELATIVE” TO INCLUDE AN UNCLE, AUNT, NEPHEW, NIECE, AND A SIBLING OF A SPOUSE; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO THE ETHICS CODE FOR THE CITY OF CAMBRIDGE.

WHEREAS, pursuant to Md. Code Ann., General Provisions § 5-808 and Code of Maryland Regulations (“COMAR”) 19A.04.01.03(A), the Commissioners of Cambridge are authorized and empowered to enact conflict of interest provisions similar to Title 5 (Maryland Public Ethics Law), Subtitle 5 (Conflicts of Interest) of the General Provisions Article of the Annotated Code of Maryland; and

WHEREAS, pursuant to Section 11.04 of the Bylaws of that non-stock, not-for-profit Maryland corporation known as Cambridge Waterfront Development, Inc. and described in a Memorandum of Understanding between the city and Dorchester County, Maryland dated April 2, 2018 (“CWDI”), as amended April 15, 2021, the organization, affairs, operations, projects, and programs of CWDI shall be subject to such additional requirements as may be imposed or approved by the City by ordinance, resolution, or otherwise; and

WHEREAS, the Commissioners of Cambridge are desirous of amending Chapter 2 (Administration), § 2-14 (Ethics) of the City Code for the purposes of providing that the conflict of interest and financial reporting provisions thereof shall apply to CWDI’s Board of Directors, subject to certain conditions, and expanding the definition of “qualified relative” to include an uncle, aunt, nephew, niece, and a sibling of a spouse; and

WHEREAS, pursuant to COMAR 19A.04.03.02, a municipality may submit proposed ethics provisions and amendments to the State Ethics Commission for review and comment prior to final enactment; and

WHEREAS, a copy of this Ordinance has been submitted to the State Ethics Commission for review and comment, and the State Ethics Commission has returned a favorable recommendation; and

WHEREAS, the Commissioners of Cambridge find that the amendments set forth herein are necessary to promote and protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that:

SECTION 1. Chapter 2 (Administration) of the Code of the City of Cambridge, Maryland is hereby amended as follows:

Sec. 2-14. Ethics code.

(1) *Short title and purpose.*

(a) UNCHANGED

(b) The purpose of this section is to clarify for all city employees, elected officials, candidates for public office, members of certain city boards and commissions, and the general public the standards by which conduct of officials, employees, and candidates for elective office, and the Board of Directors of that non-stock, not-for-profit Maryland corporation known as Cambridge Waterfront Development, Inc. and described in a Memorandum of Understanding between the city and Dorchester County, Maryland dated April 2, 2018 (hereinafter referred to as the "CWDI Board of Directors") will be judged by the ethics commission for the City of Cambridge, Maryland.

(c) UNCHANGED

(2) *Applicability.* The provisions of this section apply as follows:

(a) To all city employees, and elected or appointed officials, and the CWDI Board of Directors with regard to the conflict of interest provisions of this ethics code.

(b) UNCHANGED

(c) UNCHANGED

(d) UNCHANGED

(e) As to financial disclosure requirements set forth in subsection (6), to the CWDI Board of Directors; provided, however, that any such Board member who is required to file such a disclosure with Dorchester County or the State of Maryland may submit the same to the city in lieu of the financial disclosure statement required hereunder.

* * *

(4) *Conflicts of interest – All covered positions.*

(a) UNCHANGED

(b) UNCHANGED

(c) In all sections of this section, “immediate family” means a spouse and dependent children and “qualified relative” means a spouse, parent, child, ~~a sibling, or a spouse of a sibling,~~ **uncle, aunt, nephew, niece, or a sibling of a spouse** of a person subject to this section.

(d) UNCHANGED

(e) UNCHANGED

(f) UNCHANGED

(g) UNCHANGED

(h) UNCHANGED

(i) UNCHANGED

(j) UNCHANGED

(k) UNCHANGED

(l) UNCHANGED

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the City Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective immediately upon passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Patrick C. Comiskey, City Manager

By: _____
Andrew Bradshaw, Mayor

Introduced the 9th day of August, 2021

Passed the ___ day of _____, 2021

Effective the ___ day of _____, 2021