

MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance 2022-15

Introduced By: Mayor Roath

Date Introduced: November 1, 2022

Amendments Adopted: N/A

Date Adopted: December 6, 2022

Date Effective: December 26, 2022, or upon approval by the State Ethics Commission, whichever occurs last.

AN ORDINANCE concerning

ETHICS ORDINANCE REVISIONS

FOR the purpose of amending the ethics ordinance for the Town of Perryville, to make certain modifications required to comply with requirements of Maryland law; and matters relating to the Town of Perryville Ethics Ordinance.

BY repealing and reenacting, with amendments
Chapter 8 Financial Disclosure and Ethics
Sections 8-4(H)(3), 8-4(I), 8-5(D)(2), 8-5(F)(4(i), and 8-5(G)(2)
Code of the Town of Perryville

BY adding
Chapter 8 Financial Disclosure and Ethics
Sections 8-1A, 8-4(K), 8-5(J) and 8-5(F)(10)
Code of the Town of Perryville

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections 8-4(H)(3), 8-4(I), 8-5(D)(2), 8-5(F)(4(i), and 8-5(G)(2) of the Code of the Town of Perryville, Chapter 8, Financial Disclosure and Ethics, are repealed and reenacted, with amendments, to read as follows:

Chapter 8 – FINANCIAL DISCLOSURE AND ETHICS

§ 8-4 Conflicts of Interest.

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(H) Solicitation and acceptance of gifts.

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(3) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:

(i) Is doing business with or seeking to do business with the town office, department, agency, board or commission with which the official or employee is affiliated;

(ii) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;

(iii) Is engaged in an activity regulated or controlled by the office, department, agency, board or commission with which the official or employee is affiliated; ((or))

(iv) Is a lobbyist with respect to matters within the jurisdiction of the official or employee((.)); OR

(V) IS AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

* * *

(I) Disclosure of confidential information. Other than in the discharge of official duties, an official or employee OR FORMER OFFICIAL OR EMPLOYEE may not disclose or use confidential information, that the official or employee acquired by reason of the official’s or employee’s public position OR FORMER PUBLIC POSITION and that is not available to the public, for the economic benefit of the official or employee or that of another person.

§ 8-5 Financial Disclosure – Elected Officials and Candidates to be Town Elected Officials.

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(D) Public record.

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(2) Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees established by the Town and administrative procedures established by the commission. Notwithstanding the foregoing, the commission may not make available for examination and copying by the public any portion of a financial disclosure statement that contains the home address of an individual. ADDITIONALLY, THE COMMISSION OR OFFICE DESIGNATED BY THE COMMISSION SHALL NOT PROVIDE PUBLIC ACCESS TO INFORMATION RELATED TO CONSIDERATION RECEIVED FROM:

I. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

II. A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

III. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

* * *

(F) Contents of statement.

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(4) Gifts.

(i) A statement filed under this section shall include a schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with or is regulated by the Town OR FROM AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION, THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

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(g) For the purposes of § 15-5(f)(1), (2) and (3) of this Chapter, the following interests are considered to be the interests of the individual making the statement:

* * *

(2) ((An interest held by a business entity in which the individual held a 30% or greater interest at any time during the reporting period.)) AN INTEREST HELD, AT ANY TIME DURING THE APPLICABLE PERIOD, BY:

(I) A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A (10)% OR GREATER INTEREST;

(II) A BUSINESS ENTITY DESCRIBED IN SECTION (I) OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 25% OR GREATER INTEREST;

(III) A BUSINESS ENTITY DESCRIBED IN SECTION (II) OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 50% OR GREATER INTEREST; AND

(IV) A BUSINESS ENTITY IN WHICH THE INDIVIDUAL DIRECTLY OR INDIRECTLY, THROUGH AN INTEREST IN ONE OR A COMBINATION OF OTHER BUSINESS ENTITIES, HOLDS A 10% OR GREATER INTEREST.

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SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that new Sections 8-1A, 8-4(K), 8-5(J) and 8-5(F)(10) be and they are hereby added the Code of the Town of Perryville, Chapter 8, Financial Disclosure and Ethics, to read as follows:

Chapter 8 – FINANCIAL DISCLOSURE AND ETHICS

§ 8-1A DEFINITIONS.

IN ADDITION TO THOSE DEFINITIONS CONTAINED ELSEWHERE IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS SET FORTH BELOW:

(A)“QUASI-GOVERNMENTAL ENTITY” MEANS AN ENTITY THAT IS CREATED BY STATE STATUTE, THAT PERFORMS A PUBLIC FUNCTION, AND THAT IS SUPPORTED IN WHOLE OR IN PART BY THE STATE BUT IS MANAGED PRIVATELY.

§ 8-4 Conflicts of Interest.

(K) AN OFFICIAL OR EMPLOYEE MAY NOT RETALIATE AGAINST AN INDIVIDUAL FOR REPORTING OR PARTICIPATING IN AN INVESTIGATION OF A POTENTIAL VIOLATION OF THIS CHAPTER.

§ 8-5 Financial Disclosure – Elected Officials and Candidates to be Town Elected Officials.

(F) Contents of statement.

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(10) AN INDIVIDUAL SHALL DISCLOSE THE INFORMATION SPECIFIED IN GENERAL PROVISIONS ARTICLE §5- 607(J)(1), ANNOTATED CODE OF MARYLAND, FOR ANY FINANCIAL OR CONTRACTUAL RELATIONSHIP WITH:

(A) THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

(B) A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR

(C) A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

FOR EACH FINANCIAL OR CONTRACTUAL RELATIONSHIP REPORTED, THE SCHEDULE SHALL INCLUDE:

(A) A DESCRIPTION OF THE RELATIONSHIP;

(B) THE SUBJECT MATTER OF THE RELATIONSHIP; AND

(C) THE CONSIDERATION.

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(J) AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A BUSINESS UNDER THIS SECTION SHALL DISCLOSE ANY OTHER NAMES THAT THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.

SECTION 3. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that this Ordinance shall become effective (i) at the expiration of twenty (20) days following approval by the Mayor and Commissioners, or (ii) upon approval by the State Ethics Commission, whichever occurs last.

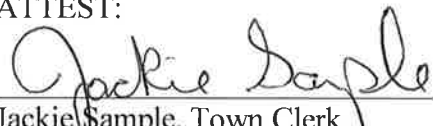
ADOPTED this 6th day of December, 2022

SEAL:

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: 
Matt Roath, Mayor

ATTEST:


Jackie Sample, Town Clerk

Date: 12/6/2022

