

ARTICLE I
GENERAL CORPORATE POWERS.

Section 101. Enumeration.

This Charter is the municipal corporation Charter of the City of Glenarden, the corporate name of which is "The City of Glenarden." The municipal corporation here continued, under its corporate name, has all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated.

ARTICLE II
CORPORATE LIMITS.

Section 201. Description; public filing of corporate limits.

- (a) The limits of the City of Glenarden shall be as they existed immediately prior to the date of this Charter, subject to all rights, reservations, limitations, and conditions as may be set forth in all prior resolutions of annexation and in the Charter of the City in effect immediately prior to this Charter, and as may be hereafter amended as provided by law.
- (b) The courses and distances showing the exact corporate limits of the City shall be filed at all times with the Clerk of the Circuit Court for Prince George's County and the Director of the Department of Legislative Reference of the Maryland General Assembly. In addition, a copy of the courses and distances describing the corporate boundaries shall be on file in the City in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.

ARTICLE III
ORGANIZATION OF COUNCIL.

Section 301. Composition; terms of office.

- (a) Number; selection; length of term. All legislative powers of the City are vested in a Council consisting of seven Councilmembers, who shall be elected as hereinafter provided and who shall hold office for a term of two years, or until their successors take office, except that beginning with the election in May 2013, the term of office for all Councilmembers shall be four years, or until their successors take office. **[Amended 3-11-2013 by Res. No. CR-05-2013]**
- (b) Beginning and end of term. The regular term of Councilmembers shall begin one hour after the start of the regular Council meeting on the second Monday in June following their election and shall expire upon the seating of their successors. Councilmembers holding office at the time this Charter becomes effective shall continue to hold office for the term for which they were elected or until their successors take office under the provisions of this Charter.

Section 302. Qualifications of Councilmembers. [Amended 5-13-2013 by Res. No. CR-06-2013; 1-9-2017 by Res. No. CR-07-2017; 10-10-2017 by Ord. No. CR-02-2018]

Councilmembers shall be at least 21 years of age, shall have resided in the City for at least one year immediately preceding their election, and shall be qualified voters of the City pursuant to Section 702 of this Charter. Any person who has claimed a principal residence outside of the corporate limits of the City of Glenarden in filings with the State of Maryland, including as part of an application for the homestead tax credit, is not a resident for purposes of this section for the time period claimed.

Section 303. Salary of Councilmembers.

Each Councilmember shall receive an annual salary which shall be equal for all Councilmembers and shall be as specified from time to time by an ordinance passed by the Council in the regular course of its business, provided, however, that the salary specified at the time any Councilmember takes office shall not be changed during the term for which that Councilmember was elected. The ordinance making any change in the salary paid to the several Councilmembers, either by way of increase or decrease, shall be finally ordained prior to the election of the members to whom the salary increase shall apply.

Section 304. Meetings.

- (a) The newly elected Council shall meet on the second Monday in June following its election for the purpose of organization, after which the Council shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month except, however, that during the months of July and August the regularly scheduled meetings may be canceled by a majority of the members of the Council. Special meetings shall be called by the Clerk to the Council upon the request of the Mayor, President of the Council, or a majority of the members of the Council.

- (b) Closed sessions. The Council may meet in closed session or adjourn an open session to a closed session only to:
- (1) Discuss:
 - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom it has jurisdiction; or
 - (ii) Any other personnel matter that affects one or more specific individuals;
 - (2) Protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
 - (3) Consider the acquisition of real property for a public purpose and matters directly related thereto;
 - (4) Consider the investment of public funds;
 - (5) Consider the marketing of public securities;
 - (6) Consult with legal counsel to obtain legal advice;
 - (7) Consult with staff, consultants or other individuals about pending or potential litigation;
 - (8) Conduct collective bargaining negotiations or consider matters that relate to the negotiations;
 - (9) Discuss public security, if the Council determines that public discussion would constitute a risk to the public or to public security, including:
 - (i) The deployment of police services and staff; and
 - (ii) The development and implementation of emergency plans;
 - (10) Conduct or discuss an investigative proceeding on actual or possible criminal conduct;
 - (11) Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; **[Amended 4-11-2011 by Res. No. CR-01-2011]**
 - (12) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the Council to participate in the competitive bidding or proposal process;
 - (13) Consider a matter that concerns a proposal for a business or industrial organization to locate, expand or remain in the state; or **[Added 4-11-2011 by Res. No. CR-01-2011]**

(14) Prepare, administer or grade a scholastic, licensing or qualifying examination.
[Added 4-11-2011 by Res. No. CR-01-2011]

- (c) Procedure for closing sessions. Before the Council meets in closed session, a majority of the Councilmembers present and voting must vote in favor of closing the session. The vote must be conducted and recorded in accordance with State law, and a written statement of the reason for closing the meeting must be made in accordance with State law.

Section 305. President and Vice President.

- (a) President. At its organizational meeting on the second Monday of June following its election, the Council shall select from its members a President of the Council. The President of the Council shall preside over all meetings of the Council and shall perform other duties as specified by the Council by resolution.
- (b) Vice President. At its organizational meeting on the second Monday of June following its election, the Council shall select from its members a Vice President of the Council who shall execute the duties of the President in the absence of the President.

Section 306. Quorum.

A majority of the members of the Council shall constitute a quorum for the transaction of business but no ordinance shall be approved nor any other action taken without the favorable votes of at least four members of the Council.

Section 307. Rules and order of business; journal; votes in public meeting; roll call votes; minutes.

- (a) Procedure of Council. The Council shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein yeas and nays upon final action on any question, resolution, or ordinance, or at any other time if required by any one member. The journal shall be open to public inspection. No action requiring a vote of the Council shall be taken except in a public meeting. All votes of the Council on ordinances shall be taken by roll call. All other votes of the Council shall be by roll call only at the request of any Councilmember.
- (b) Copy of minutes. A duplicate copy of the minutes of all regular and special meetings of the Council shall be posted in bound cumulative form within 30 days in the administrative office and shall be open to public inspection during regular working hours.
- (c) Copy for Councilmembers. Each Councilmember shall be given a complete copy of the minutes of each meeting of the Council, regular and special, that occurs while he or she is a member of the Council.

Section 308. Procedure for enactment of resolutions and ordinances.

(a) Definitions.

- (1) Resolution shall mean a formal expression of opinion, will or intent of the Council adopted by a vote of the Council and, unless otherwise required by law, is without the force of an ordinance.
 - (2) Ordinance shall mean a legislative enactment adopted in a manner prescribed by this section, that shall have the full force of law.
- (b) A resolution may be introduced by any Councilmember at any regular or special meeting of the Council. Unless otherwise required by law, a resolution may be enacted by the Council only after a public hearing has been held. A resolution may not be passed on the same day as the public hearing, but may be passed at any regular or special meeting of the Council held not less than six days after the public hearing. A resolution shall be enacted by the affirmative vote of at least four members of the Council. **[Amended 3-20-2017 by Res. No. CR-04-2017]**
- (c) An ordinance may be introduced by any Councilmember at any regular or special meeting of the Council. No ordinance shall be passed at the meeting at which it is introduced. An ordinance may not be passed until after a public hearing has been held and an ordinance may not be passed on the same day as the public hearing. At any regular or special meeting of the Council, held not less than six nor more than 60 days after the public hearing, the proposed ordinance shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date. In cases of emergency the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of five members of the Council. **[Amended 3-20-2017 by Res. No. CR-04-2017]**
- (d) All ordinances passed by the Council shall be promptly delivered by the Clerk to the Mayor for his or her approval or disapproval. If the Mayor approves any ordinance, he or she shall sign it. If the Mayor disapproves any ordinance, he or she shall not sign it. The Mayor shall return all ordinances to the Clerk within six days after delivery to him or her (excluding the first day, including the last day, and excluding any Sunday) with his or her approval or disapproval. Any disapproved ordinance shall not become a law unless subsequently passed by a favorable vote of five-sevenths of the whole Council within 35 calendar days from the time of the return of the ordinance. If the Mayor fails to return any ordinance within six days of its delivery, it shall be deemed to be approved by the Mayor and shall become law in the same manner as an ordinance signed by him or her.
- (e) Every ordinance, unless it is passed as an emergency ordinance, shall become effective at the expiration of 20 calendar days following approval by the Mayor or passage by the Council over the Mayor's veto. An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his or her veto by the Council.

Section 309. File of ordinances.

- (a) Each proposed ordinance shall be posted in the Municipal Center until it is approved or disapproved pursuant to this article.
- (b) Ordinances currently in effect shall be permanently filed by the Clerk and shall be kept available for public inspection.

ARTICLE IV
THE MAYOR.

Section 401. Election; term of office. [Amended 1-14-2013 by Res. No. CR-01-2013; 1-14-2013 by Res. No. CR-02-2013]

- (a) Selection and term. The Mayor shall be elected as hereinafter provided and shall hold office for a term of two years or until a successor is elected and qualified, except that beginning with the election in May 2013, the term of office for the Mayor shall be four years, or until a successor is elected and qualified. The newly elected Mayor shall take office one hour after the start of the regular Council meeting on the second Monday in June following his or her election. The Mayor holding office shall continue to hold office for the term for which he or she was elected or until a successor takes office under the provisions of this Charter.¹

Section 402. Qualifications. [Amended 5-13-2013 by Res. No. CR-06-2013]

The Mayor shall be at least 21 years of age, shall have resided in the City for at least one year immediately preceding election, and shall be a qualified voter of the City pursuant to Section 702 of this Charter. Any person who has claimed a principal residence outside of the corporate limits of the City of Glenarden in filings with the State of Maryland, including as part of an application for the homestead tax credit, is not a resident for purposes of this section for the time period claimed.

Section 403. Salary.

The Mayor shall receive an annual salary as set from time to time by an ordinance passed by the Council in the regular course of business. No change shall be made in the salary for any Mayor during the term for which he or she was elected. The ordinance making any change in the salary paid to the Mayor, either by way of increase or decrease, shall be finally ordained prior to the election of the Mayor to whom the salary increase shall apply.

Section 404. Powers and duties generally. [Amended 2-10-2014 by Res. No. CR-01-2014; 12-8-2014 by Res. No. CR-01-2015]

- (a) The Mayor shall see that the ordinances of the City are faithfully executed and shall be the chief executive officer of the City government.
- (b) The Mayor each year shall report to the Council the condition of municipal affairs and make such recommendations as he or she deems proper for the public good and the welfare of the City.
- (c) The Mayor shall have the power to veto ordinances passed by the Council as provided in Section 308(d).
- (d) The Mayor shall have such other powers and perform such other duties as may be prescribed by this Charter or as may be required by the Council, not inconsistent with this Charter.

1. Editor's Note: Former Subsection (b), Term limits, was repealed 11-12-2019 by Res. No. CR-02-2020.

- (e) The Mayor shall attend all Council meetings and make monthly reports to the Council and citizens.
- (f) The Mayor may not incur any expense, nor enter into any contract, on behalf of the City without prior approval of the Council.

Section 405. Acting Mayor.

- (a) When the Mayor is absent for a period of less than 30 days, the President of the Council shall serve as acting Mayor until the return of the Mayor.
- (b) When both the Mayor and the President of the Council are absent from the City, and the period of such absence is less than 30 days, the duties of acting Mayor shall be exercised by the Vice President of the Council.
- (c) In those instances where the duties of Mayor are exercised by either the President or the Vice President of the Council pursuant to this section, such duties shall include the co-signing of City checks and drafts, the execution of contracts and other legal documents on behalf of the City, the approving or disapproving of legislation or ordinances passed by the Council, and the administering of oaths of office.
- (d) While acting as Mayor, the Council President shall not perform the legislative functions of the President of the Council. Upon return of the Mayor, the President of the Council shall resume his or her position as President of the Council.

ARTICLE V
CITY MANAGER.

Section 501. Creation of Office. [Amended 4-9-2018 by Ord. No. CR-07-2018]

The Mayor or the Council shall appoint and the Council shall confirm a City Manager. The City Manager shall be appointed solely on the basis of executive and administrative qualifications. The City Manager need not be a resident of the City or State at the time of appointment but may reside outside the City limits while in office only with the approval of the Mayor or Council. The City Manager shall not participate in election campaigns for City office or run for any elective City office while serving as City Manager.

Section 502. Authority. [Amended 9-12-2005 by Res. No. CR-01-2006; 1-9-2017 by Res. No. CR-09-2017; 11-13-2017 by Ord. No. CR-04-2018; 11-9-2020 by Res. No. CR-01-2021]

The City Manager shall be the chief administrative officer of the City and shall be responsible to the Mayor for the administration of all City affairs placed in his or her charge by the Mayor or under this Charter.

Section 503. Powers and duties.

The City Manager shall:

- (a) Administer the personnel affairs of the City.
- (b) Be responsible for the enforcement of all personnel rules and regulations adopted by the Council.
- (c) Exercise administrative control over all City departments and agencies. In accordance with this Charter, he or she shall recommend to the Council appointment and removal of department and agency heads and all subordinate officers and employees of the offices, departments and agencies of the City government on the basis of merit and supervise all other City employees. **[Amended 12-8-2014 by Res. No. CR-01-2015]**
- (d) Issue all work requests through the department head involved unless the department head is incapacitated or unavailable.
- (e) Attend all meetings of the Council in an advisory capacity.
- (f) Assist in the preparation of the annual City budget by coordinating the requests and suggestions of the Mayor, the Council, department and agency heads, and other concerned City personnel; drafting a proposed budget; and assisting the Mayor in preparation of the annual budget message as required by Section 804(b) of this Charter.
- (g) Make reports, as the Mayor or Council may require, concerning the financial condition and future needs of the City, the operation of the City's departments and agencies subject to his or her administrative control, or any other matters the Mayor or Council may designate. These reports may include recommendations as the City Manager deems necessary.

- (h) Authorize all purchases of supplies and equipment, in line with the established budget and the availability of specifically allotted funds as authorized by the Council. **[Amended 12-8-2014 by Res. No. CR-01-2015]**
- (i) Perform other duties as the Mayor or Council may require or as may be required elsewhere in this Charter.

Section 504. Annual performance evaluation.

- (a) The City Manager shall be subject to separate annual performance evaluations to be performed by the Mayor and Council.
- (b) The performance and evaluation criteria shall be prepared by the Mayor and adopted by the Council and may be periodically revised by the Mayor with the approval of the Council.

Section 505. Removal from office.

The Mayor and Council may remove the City Manager from office in accordance with the following procedures:

- (a) The Mayor shall submit to the Council a resolution to consider removal of the City Manager, which must state the reasons for removal, a copy of which shall be delivered to the City Manager as soon as practicable. The Mayor's resolution to consider removal of the City Manager shall not require the approval of the Council. After submitting to the Council a resolution to consider removal of the City Manager, the Mayor may suspend the City Manager from duty with pay for a period not to exceed 45 days pending Council action on a final resolution of removal.
- (b) Alternatively, the Council shall adopt by an affirmative vote of a majority of all its members a resolution to consider removal of the City Manager which must state the reasons for removal and may suspend the City Manager from duty with pay for a period not to exceed 45 days. Such resolution and suspension shall not require the approval of the Mayor. A copy of the resolution to consider removal shall be delivered to the City Manager as soon as practicable.
- (c) Within five days after a copy of the resolution to consider removal is delivered to the City Manager, he or she may file with the Council a written request for a hearing. This hearing shall be held at a closed-session Council meeting not later than 20 days after the request is filed. The City Manager may file with the Council a written reply to the resolution to consider removal not later than five days before the hearing. **[Amended 3-12-2012 by Res. No. CR-06-2012]**
- (d) The Council may adopt a final resolution of removal which may be made effective immediately, by affirmative vote of a majority of all its members, at any time after five days from the date when a copy of the resolution to consider removal was delivered to the City Manager, if a closed-session hearing has not been requested, or any time after the closed session hearing if one has been requested. **[Amended 3-12-2012 by Res. No. CR-06-2012; 5-12-2014 by Res. No. CR-03-2014]**

Section 506. Acting City Manager. [Added 9-12-2005 by Res. No. CR-02-2006]

The Mayor may recommend and the Council may confirm a qualified City Administrative Officer as acting City Manager to exercise the power and perform the duties of the manager during any temporary absence or disability of the manager. The Council may revoke such designation at any time and appoint another officer of the City as acting City Manager.