

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2007, Legislative Day No. 35

Bill No. 59-07

Introduced by Mr. Dillon, Chairman  
(by request of the County Executive)  
and Mr. Middlebrooks, Mr. Dillon, Ms. Vitale, and Mr. Cohen

By the County Council, August 6, 2007

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Introduced and first read on August 6, 2007  
Public Hearing set for September 4, 2007  
Bill Expires November 9, 2007

By Order: Judy C. Holmes, Administrative Officer

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A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Public Ethics

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3 FOR the purpose of defining a certain term; authorizing the secondary employment of  
4 police officers in certain establishments where liquor is sold or served and in  
5 establishments licensed to conduct commercial bingo; placing conditions on such  
6 secondary employment; making this bill an emergency measure; and generally  
7 relating to public ethics.

8  
9 BY adding: § 7-1-101(25)  
10 Anne Arundel County Code (2005, as amended)

11  
12 BY repealing and reenacting, with amendments: § 7-5-102(b)  
13 Anne Arundel County Code (2005, as amended)

14  
15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*  
16 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as  
17 follows:

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19 ARTICLE 7 PUBLIC ETHICS  
20 TITLE 1. IN GENERAL

21  
22 **7-1-101. Definitions.**

23  
24 In this article, the following words have the meanings indicated unless a different  
25 definition is adopted for a particular provision or the context clearly requires a different  
26 meaning.

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.

1 (25) "TAVERN" MEANS AN ESTABLISHMENT THAT HAS AS AT ITS PRIMARY  
2 BUSINESS PURPOSE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE  
3 PREMISES. "TAVERN" DOES NOT INCLUDE AN ESTABLISHMENT THAT MEETS THE  
4 DEFINITION OF A RESTAURANT UNDER THE RULES AND REGULATIONS OF THE BOARD OF  
5 LICENSE COMMISSIONERS FOR ANNE ARUNDEL COUNTY.

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7 TITLE 5. CONFLICTS OF INTEREST

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9 **7-5-102. Employment or financial interests; general restriction.**

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11 (b) **Exceptions.** The prohibitions of subsection (a) do not apply:

12  
13 (1) to employment or a financial interest allowed by opinion or regulation of the  
14 Ethics Commission if:

15  
16 (i) the employment or financial interest does not create a conflict of interest or  
17 the appearance of a conflict of interest; and

18  
19 (ii) the employment or financial interest is disclosed;

20  
21 (2) to an employee who is appointed to a regulatory or licensing unit pursuant to a  
22 statutory requirement that persons subject to the jurisdiction of the unit be represented in  
23 appointments to it;

24  
25 (3) as allowed by opinion or regulation of the Commission, to an employee whose  
26 duties are administrative and non-discretionary if the employment or financial interest  
27 does not create a conflict of interest or the appearance of a conflict of interest; [or]

28  
29 (4) to a member of a board, commission, authority, or similar entity who holds the  
30 employment or financial interest when appointed if the employment or financial interest  
31 is publicly disclosed to the appointing authority, the Ethics Commission, and, if  
32 applicable, the County Council before confirmation;

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34 (5) TO SECONDARY EMPLOYMENT BY A COUNTY POLICE OFFICER IN AN  
35 ESTABLISHMENT WHERE LIQUOR IS SOLD OR SERVED, PROVIDED THAT THE SECONDARY  
36 EMPLOYMENT:

37  
38 (I) DOES NOT TAKE PLACE IN A TAVERN;

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40 (II) IS NOT PERFORMED FOR A BUSINESS THAT OFFERS AS ITS PRIMARY  
41 SERVICE THE SALE OR DISPENSING OF ALCOHOLIC BEVERAGES; AND

42  
43 (III) DOES NOT INCLUDE THE DUTY UNDER THAT SECONDARY EMPLOYMENT  
44 TO SELL, SERVE, OR HANDLE ALCOHOLIC BEVERAGES, CHECK IDENTIFICATION OR  
45 OTHERWISE SCREEN PATRONS FOR ADMISSION TO THE ESTABLISHMENT, OR REMOVE  
46 INTOXICATED OR UNRULY PATRONS FROM THE ESTABLISHMENT; OR

47  
48 (6) TO SECONDARY EMPLOYMENT BY A COUNTY POLICE OFFICER IN AN  
49 ESTABLISHMENT LICENSED BY THE COUNTY TO CONDUCT COMMERCIAL BINGO,  
50 PROVIDED THAT THE SECONDARY EMPLOYMENT DOES NOT INCLUDE THE DUTY UNDER  
51 THAT SECONDARY EMPLOYMENT TO OPERATE OR ASSIST WITH THE OPERATION OF THE  
52 BINGO GAMES, OR ENFORCE THE PROHIBITION AGAINST UNDERAGE PATRONS.

1       SECTION 2. *And be it further enacted,* That this Ordinance is hereby declared to be  
2 an emergency ordinance and necessary for the immediate preservation of the public  
3 peace, health, safety, welfare, and property, and being passed by the affirmative vote of  
4 five members of the County Council, the same shall take effect from the date it becomes  
5 law.