

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 3

Bill No. 7-13

Introduced by Mr. Walker, Mr. Benoit, Mr. Smith., Mr. Trumbauer, Mr. Ladd,
and Mr. Fink

By the County Council, January 30, 2013
Emergency Session

Introduced and first read on January 30, 2013
Public Hearing set for February 4, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Vacancy in the Office of County Executive
2 of Anne Arundel County

3
4 FOR the purpose of declaring a vacancy in the Office of County Executive of Anne Arundel
5 County, Maryland; providing for failure to vacate office; and making this Ordinance an
6 emergency measure.

7
8 WHEREAS, County Executive John R. Leopold was elected to a second four year term
9 as County Executive at the November 2, 2010 General Election; and

10
11 WHEREAS, the second term for County Executive John R. Leopold would ordinarily
12 end in 2014; and

13
14 WHEREAS, Section 404 of the Anne Arundel County Charter provides for the removal
15 of a County Executive office by affirmative vote of five members of the County Council
16 upon conviction of a crime involving moral turpitude or misfeasance or malfeasance in
17 office; and

18
19 WHEREAS, County Executive John R. Leopold has been convicted on two counts of
20 misfeasance in office; and

21
22 WHEREAS, according to Section 2, Article 15 of the Constitution of Maryland, any
23 elected official who during their official term of office is found guilty of any felony or
24 misdemeanor related to the elected official's public duties and responsibilities shall be
25 suspended by operation of law without pay or benefits from the elective office; now,
26 therefore

1 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 That the County Council declares the existence of a vacancy in the Office of the County
3 Executive of Anne Arundel County on the date this Ordinance becomes law, with the
4 vacancy to be filled in accordance with Section 402 of the County Charter.
5

6 SECTION 2. *And be it further enacted,* That failure of a County Executive to vacate
7 office immediately upon the enactment of this Ordinance shall be considered a misdemeanor
8 offense under § 9-1-101 of the Anne Arundel County Code and is subject to a fine not
9 exceeding \$1,000 or imprisonment not exceeding six months, or both.
10

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