

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2018, Legislative Day No. 5

Bill No. 13-18

All Councilmembers

By the County Council, March 5, 2018

A BILL
ENTITLED

AN ACT concerning

County Charter – Technical Changes

FOR the purpose of correcting cross references in the Charter to the State Code; updating the modern names of the offices and departments in the administrative services of County government; providing gender-neutral language throughout the Charter; transferring certain provisions relating to the duties of certain offices; repealing obsolete language; repealing references to the Bureau of Civil Defense; adding provisions to update the references to the functions and duties of certain departments in the administrative services and their management personnel; and generally relating to the technical amendments to the Baltimore County Charter.

BY repealing and re-enacting, with amendments
Section 204
Article II – The County Council
Baltimore County Charter

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments
Section 306
Article III – The Legislative Branch
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 402(c) and 406(a)
Article IV – The Executive Branch
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 503, 504, 512, 513, 514, 515, 516, 520, 521, 522, 522.1, 523, 524, 528, 538,
and 539(b), (d), and (j)
Article V – The Administrative Services
Baltimore County Charter

BY repealing
Sections 518, 519 and 536
Article V – The Administrative Services
Baltimore County Charter

BY adding
Sections 542.3, 542.4, 542.5, 542.6, 542.7, and 542.8
Article V – The Administrative Services
Baltimore County Charter

BY repealing and re-enacting, with amendments
Section 602(a) and (d)
Article VI – County Board of Appeals
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 704, 705(a)(1) and (2), (b) and (c), 706(c), 712(a), and 715 (first paragraph)
Article VII – Budgetary and Fiscal Procedures
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 801 (first paragraph), 802(a), (b), (c), (e), and (g), and 804
Article VIII – Merit System
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 903 and 905
Article IX – Centralized Purchasing
Baltimore County Charter

BY repealing and re-enacting, with amendments
Sections 1005(a) and 1006
Article X – Miscellaneous
Baltimore County Charter

BY repealing and re-enacting, with amendments
Section 1109
Article XI – Transitory Provisions
Baltimore County Charter

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore
3 County Charter, the Baltimore County Charter shall read as follows:

4

5 Article II. The County Council

6

7 Sec. 204. Compensation.

8 Compensation and allowances to be paid to members of the county council shall be set
9 as provided in § 10-302 OF THE LOCAL GOVERNMENT Article [25A, Section 5(AA)] of the
10 Annotated Code of Maryland, as amended.

11

12

13 Article III. The Legislative Branch

14

15 Sec. 306. Legislative powers of county council.

16 The county council shall be the elected legislative body of the county and is vested
17 with all the law-making power thereof, including all such powers as may heretofore have
18 been exercised by the General Assembly of Maryland and transferred to the people of the
19 county by the adoption of this Charter. The county council shall also have and may exercise
20 all legislative powers heretofore vested in the county commissioners of Baltimore County,
21 including the power to accept gifts and grants. The county council may enact public local

1 laws for the county and is authorized to repeal or amend such local laws as have heretofore
2 been enacted by the General Assembly of Maryland upon matters covered by the Express
3 Powers Act of 1918 (TITLE 10 OF THE LOCAL GOVERNMENT Article [25A] of the
4 Annotated Code of Maryland[, 1957 Edition]) as now in force or hereafter amended. The
5 county council may also provide for the enforcement of all ordinances, resolutions, bylaws
6 and regulations adopted under the authority of law by fines, penalties and imprisonment,
7 within the limits prescribed by law.

8

9 Article IV. The Executive Branch

10 Sec. 402. – County Executive.

11 (c) Temporary absence of county executive. During the temporary disability or
12 absence from the county of the county executive, the county administrative officer shall
13 serve as acting county executive. If both the county executive and the county
14 administrative officer are temporarily disabled or absent from the county, the director of
15 [the] budget AND FINANCE, as the acting county administrative officer, shall also serve as
16 acting county executive, unless the county council designates the head of another office in
17 the administrative services, or the director of public works to serve as acting county
18 executive. If a county executive fails actively to perform the daily duties and responsibilities
19 of his office for a continuous period of six months, [his] THE COUNTY EXECUTIVE'S
20 office may be declared vacant by the affirmative vote of a majority of the total number of
21 county council members established by this Charter, and such vacancy shall thereupon be
22 filled in the manner above provided in Section 402(b) of this Article. An acting county

1 executive shall have the same rights, duties, powers and obligations as an elected
2 incumbent of said office, exclusive, however, of the power of executive veto.

3

4 Sec. 406. Temporary appointments.

5 (a) County administrative officer. During the temporary absence of the county
6 administrative officer, or if the office of county administrative officer shall become vacant, the
7 director of [the] budget AND FINANCE shall serve as acting county administrative officer
8 pending, in the case of a vacancy, the appointment of a successor to fill the balance of the
9 unexpired term. In [his] THE DIRECTOR'S capacity as acting county administrative officer,
10 the director of [the] budget AND FINANCE need not possess, but the successor shall possess,
11 all those qualifications hereinabove in this article specified for an original appointee.

12

13 Article V. The Administrative Services

14 Sec. 503. Offices.

15 There shall be the following offices in the administrative services:

16 (1) Office of law.

17 (2) Office of [personnel] HUMAN RESOURCES.

18 (3) Office of BUDGET AND finance.

19 (4) Office of [the budget] INFORMATION TECHNOLOGY.

20 [(5) Office of central services.

21 (6) Office of planning and zoning.]

22

1 Sec. 504. Departments.

2 There shall be the following departments in the administrative services:

3 (1) Department of public works.

4 (2) Department of [permits and licenses] PERMITS, APPROVALS AND
5 INSPECTIONS.

6 (3) Department of recreation and parks.

7 (4) Department of environmental protection and [resource management]
8 SUSTAINABILITY.

9 (5) Department of education.

10 (6) Department of libraries.

11 (7) Department of health.

12 (8) Department of social services.

13 (9) Police department.

14 (10) Fire department.

15 (11) Department of aging.

16 (12) Department of [community development] PLANNING.

17 (13) DEPARTMENT OF CORRECTIONS.

18 (14) DEPARTMENT OF ECONOMIC AND WORKFORCE DEVELOPMENT.

19

20 Sec. 512. Composition.

21 The office of [personnel] HUMAN RESOURCES shall consist of the director of

22 [personnel] HUMAN RESOURCES, the personnel and salary advisory board, and their

1 subordinate officers, agents and employees. The office shall be administered by the director of
2 [personnel] HUMAN RESOURCES. [He] THE DIRECTOR shall be responsible directly to the
3 county administrative officer and shall possess the qualifications for [his] THE office provided in
4 Article VIII of this Charter and such other qualifications as may be provided in the county
5 personnel law.

6

7 Sec. 513. Duties of director of [personnel] HUMAN RESOURCES.

8 The director of [personnel] HUMAN RESOURCES shall have such duties and perform
9 such functions as are provided in Article VIII of this Charter and such other duties and functions,
10 not inconsistent therewith, as may be provided in the county personnel law.

11

12 Sec. 514. The director of BUDGET AND finance generally.

13 The office of BUDGET AND finance shall be administered by the director of BUDGET
14 AND finance, who shall be appointed on the basis of [his] THE DIRECTOR'S experience in
15 financial [administration] ADMINISTRATION, AND TECHNICAL TRAINING FOR THE
16 DUTIES OF THE OFFICE. [He] THE DIRECTOR shall be responsible directly to the county
17 administrative officer.

18

19 Sec. 515. General powers and duties of the director of BUDGET AND finance.

20 (A) Except as otherwise provided in Article XI of this Charter, the director of BUDGET
21 AND finance shall have and exercise all the powers and all the fiscal duties [now or hereafter]

1 FORMERLY vested in or imposed upon the county comptroller and the county treasurer, and
2 [he] THE DIRECTOR is hereby designated as the collector of state taxes in the county. [He]
3 THE DIRECTOR shall have charge of the administration of the financial affairs of the county,
4 including the collection of state and county taxes, special assessments, the metropolitan district
5 charges, fees and other revenues and funds of every kind due to the county; the enforcement of
6 the collection of taxes in the manner provided by law; the custody and safekeeping of all funds
7 and securities belonging to or by law deposited with, distributed to or handled by the county; the
8 disbursement of county funds; the keeping and supervision of all accounts; and such other
9 functions as may be prescribed by the county administrative [office] OFFICER or by legislative
10 act of the county council not inconsistent herewith.

11 (B) THE DIRECTOR OF BUDGET AND FINANCE SHALL BE RESPONSIBLE
12 FOR THE FORMULATION OF THE BUDGET UNDER THE SUPERVISION OF THE
13 COUNTY ADMINISTRATIVE OFFICER IN ACCORDANCE WITH THE PROCEDURES
14 SET OUT IN ARTICLE VII OF THIS CHARTER; THE STUDY OF THE ORGANIZATION,
15 METHODS AND PROCEDURES OF EACH OFFICE, DEPARTMENT, BOARD,
16 COMMISSION, INSTITUTION AND AGENCY OF THE COUNTY GOVERNMENT; THE
17 SUBMISSION TO THE COUNTY ADMINISTRATIVE OFFICER OF PERIODIC REPORTS
18 ON THEIR EFFICIENCY AND ECONOMY AND SUCH OTHER DUTIES AND
19 FUNCTIONS AS MAY BE ASSIGNED TO THE DIRECTOR BY THE COUNTY
20 ADMINISTRATIVE OFFICER OR BY LEGISLATIVE ACT OF THE COUNTY COUNCIL.

21
22

1 Sec. 516. Specific powers and duties of director of BUDGET AND finance.

2 The director of BUDGET AND finance shall have the following specific powers and duties:

3 (a) To keep accounts for each item of appropriation made by the county council so that
4 each account shall show in detail the appropriations made thereto, the amounts drawn thereon
5 and the unencumbered balance;

6 (b) To submit monthly to the county administrative officer, the county executive and the
7 county council a summary of revenues and expenditures detailed as to appropriations and funds
8 in such manner as to show the current financial condition of each office and department of the
9 county government;

10 (c) To submit at least annually to the county council a set of comprehensive financial
11 statements on the county government prepared in accordance with the latest generally accepted
12 accounting principles for local governments showing the assets, liabilities, financial condition,
13 and operating results of the county along with appropriate notes, comments, and opinions by the
14 external and county auditors. Copies of the annual financial report shall be made available to the
15 public and the press no later than one hundred eighty days following the close of each fiscal year.
16 Copies of the annual financial report shall be placed in each branch of the Baltimore County
17 Public Library and a notice stating that the report is available for inspection in the office of
18 BUDGET AND finance, the county auditor's office, and each branch of the Baltimore County
19 Public Library shall be published annually in a newspaper of general circulation in Baltimore
20 County.

21 (d) To control all county expenditures on the basis of authorized budgetary allotments

1 and to report thereon to the several offices, departments, boards, commissions and other agencies
2 of the county government;

3 (e) To examine, audit and approve all bills, demands or charges against the county and
4 to determine the regularity, legality and correctness of the same;

5 (f) To deposit funds of the county in such banks or trust companies as the county
6 executive may designate, subject to such adequate requirements as to security and interest as
7 may be provided by law;

8 (g) To perform such other duties not inconsistent with those herein enumerated as may
9 be required by the county administrative officer or by law.

10

11 [Sec. 518. Administration; appointment, qualifications, etc., of director of the budget.

12 The office of the budget shall be administered by the director of the budget. He shall be
13 appointed solely on the basis of his administrative experience and technical training for the
14 duties of his office. He shall be responsible directly to the county administrative officer who
15 shall be the chief budget officer of the county.]

16

17 [Sec. 519. Powers and duties of director of the budget.

18 The director of the budget shall be responsible for the formulation of the budget under the
19 supervision of the county administrative officer in accordance with the procedures set out in
20 Article VII of this Charter; the study of the organization, methods and procedures of each office,
21 department, board, commission, institution and agency of the county government; the submission

1 to the county administrative officer of periodic reports on their efficiency and economy and such
2 other duties and functions as may be assigned to him by the county administrative officer or by
3 legislative act of the county council.]

4
5 Sec. 520. The director of [central services] INFORMATION TECHNOLOGY.

6 The office of [central services] INFORMATION TECHNOLOGY shall be administered
7 by the director of [central services] INFORMATION TECHNOLOGY. [He] THE DIRECTOR
8 shall be appointed solely with regard to [his] THE DIRECTOR'S qualifications for the duties of
9 [his] THE office and shall be responsible directly to the county administrative officer.

10

11 Sec. 521. Duties and functions.

12 The office of [central services shall be responsible for the administration of the central
13 purchasing policies of the county set forth in Article IX of this Charter, and the director of
14 central services shall act as county purchasing agent. Unless otherwise provided by public
15 general law, the office of central services shall also be responsible for the making, renewal and
16 cancellation of all contracts of insurance in which the county, or any office, department,
17 institution, board, commission, or other agency of the county government is named as insured;
18 for the maintenance, operation and management of all land and buildings owned or operated by
19 the county and all other functions heretofore performed by the superintendent of buildings; and
20 for making available to the other offices, departments, boards, institutions and agencies of the
21 county such duplicating, stenographic, mail, messenger, stores, transportation, central garage,
22 automotive maintenance or other central services] INFORMATION TECHNOLOGY SHALL

1 HAVE SUCH DUTIES as may be assigned thereto from time to time by directive of the county
2 administrative officer or by legislative act of the county council.

3

4 Sec. 522. Organization of Office and Selection of its Components.

5 The [office] DEPARTMENT of planning [and zoning] shall be composed of a director of
6 planning [and zoning] who shall administer the [office] DEPARTMENT, a planning board, a
7 zoning commissioner and one or more deputy zoning commissioners. The county executive shall
8 appoint the director of planning [and zoning], the zoning commissioner, and one or more deputy
9 zoning commissioners, subject to confirmation by the county council. The director of planning
10 [and zoning] shall serve until [he] THE DIRECTOR shall resign or be removed upon the
11 recommendation of the county executive approved by a majority plus one of the total number of
12 county council members established by this Charter. The zoning commissioner and each deputy
13 zoning commissioner shall serve terms expiring June 1 of the year following the election of a
14 county executive provided by this Charter or until their successors are appointed and confirmed,
15 but they may be removed at any time upon the recommendation of the county executive approved
16 by a majority plus one of the total number of county council members established by this Charter.

17 The planning board shall consist of 15 members serving three-year terms, subject, however,
18 to the requirement that the terms of five members shall end each year. Eight (8) members of the
19 planning board shall be appointed by the county executive, and each member of the county
20 council shall appoint one member who shall be a resident of the councilman's district. The county
21 executive shall appoint the chairman and vice-chairman subject to confirmation by the county

1 council. At least one planning board member shall reside in each councilmanic district. No
2 member of the planning board shall hold any other salaried position in the county government
3 while a member of the planning board.

4

5 Sec. 522.1. Duties of the [office] DEPARTMENT of planning [and zoning]; limitation of
6 powers.

7 (a) The [office] DEPARTMENT of planning [and zoning] shall have the responsibility
8 and duty of planning for Baltimore County, including:

9 (1) Preparing, at least every ten years, and revising, a master plan; monitoring
10 the implementation of the master plan; and preparing at least every two years a report to the
11 county executive and county council on the progress achieved toward implementation of the
12 master plan.

13 (2) Preparing, at least every six years, recommending to the county council, and
14 administering, a zoning map.

15 (3) Preparing and recommending to the county council rules and regulations
16 governing the subdivision of land, and administering the subdivision rules and regulations as
17 adopted.

18 (4) Preparing and recommending to the county council zoning rules and
19 regulations which, together with the zoning map, shall constitute a zoning code.

20 (5) Administering the zoning code.

1 (b) The master plan shall be adopted as provided by section 523 of this Charter. All other plans,
2 zoning maps, and rules and regulations recommended for adoption, amendment or repeal by the
3 [office] DEPARTMENT of planning [and zoning], the planning board or the zoning
4 commissioner shall, prior to taking effect as law, be approved by legislative act of the county
5 council.

6
7 Sec. 523. The master plan and the zoning maps.

8 (a) Definition and implementation of the master plan. The master plan shall be a
9 composite of mapped and written proposals setting forth comprehensive objectives, policies and
10 standards to serve as a guide for the development of the county. Upon receipt of the master plan
11 from the [office] DEPARTMENT of planning [and zoning], the county council shall accept or
12 modify and then adopt it by resolution.

13 (b) Definition and implementation of the zoning maps. The zoning maps shall show the
14 boundaries of the proposed districts, divisions and zones into which the county is to be divided
15 consistent with the master plan. Upon receipt of the zoning map from the [office]
16 DEPARTMENT of planning [and zoning], the county council shall accept or modify and then
17 adopt it by legislative act.

18
19 Sec. 524. Reorganization of [office] THE DEPARTMENT of planning [and zoning].

20 Notwithstanding any other provisions of this Charter, the county council shall have the
21 power by legislative act to reorganize the [office] DEPARTMENT of planning [and zoning], to

1 define the duties of the director of said [office] DEPARTMENT, to establish the powers, duties
2 and compensation of the planning board, and to establish the duties and responsibilities of the
3 zoning commissioner and deputy zoning commissioners, so that planning and zoning functions
4 shall be conducted in the best interests of the county and its future development and growth.

5
6 Sec. 528. Director of [permits and licenses] PERMITS, APPROVALS AND INSPECTIONS.

7 The department of [permits and licenses] PERMITS, APPROVALS AND
8 INSPECTIONS shall be administered by a director of [permits and licenses] PERMITS,
9 APPROVALS AND INSPECTIONS who shall be appointed solely with regard to [his] THE
10 qualifications for the duties of [his] THE office. [He] THE DIRECTOR shall be responsible
11 directly to the county administrative officer.

12
13 [Sec. 536. Duties of the bureau of civil defense.

14 The bureau of civil defense shall constitute the local organization for civil defense
15 required to be established by state law. The director and alternate of said bureau shall be
16 appointed by the Governor of this State upon the recommendation of the county executive. The
17 bureau shall have such duties and functions as may from time to time be provided by federal or
18 state law or by legislative act of the county council not inconsistent therewith.]

19
20 Sec. 538. Composition; administration under state law.

21 The department of libraries shall consist of the county board of library trustees, the
22 director of the library and all other officers, agents and employees in the public library system of

1 the county. The board of library trustees shall consist of seven members who shall be appointed
2 by the county executive for overlapping terms of five years. The board of library trustees shall
3 appoint the director of the library, who will serve at its pleasure. It will have the same powers
4 and duties as are provided in §§ 23-405(A), (C), (D), (E), and (F) AND § 23-406(A), (B), AND
5 (E) OF THE EDUCATION Article [77, Section 173(a)] of the Annotated Code of Maryland for
6 boards of library trustees in counties which have adopted a Charter form of government. All
7 references in this Charter to the head of an office or department shall be construed as including
8 the director of the library as head of the department of libraries.

9

10 Sec. 539. Composition; functions; administration under state and county law.

11 (b) The county executive shall appoint a county health officer, with the advice and
12 consent of the secretary of health [and mental hygiene] of the State of Maryland, and the same
13 shall constitute the appointment required by state law. By virtue of [his] THE HEALTH
14 OFFICER'S appointment, the county health officer shall be secretary of the board, but not a
15 member thereof and consequently, shall not be entitled to a vote on the board.

16 (d) A county board of health is hereby created with the powers and duties of the local
17 board of health as provided in THE HEALTH-GENERAL Article [43] of the Annotated Code of
18 Maryland[, title "Health."]. The board of health shall have and perform such other duties and
19 functions as may from time to time be assigned thereto by directive of the county administrative
20 officer or by legislative act of the county council not inconsistent with the general law. In
21 addition to, and not in limitation of, the foregoing powers and duties, the board of health shall
22 have and perform the following special powers and duties not inconsistent with general law:

1 (i) To establish policies pertaining to the environmental, physical and mental
2 health services within the county.

3 (ii) To establish policies related to land, air and water pollution control, not
4 inconsistent with any state law, and to assist and cooperate with the secretary of health [and
5 mental hygiene] of the State of Maryland with respect thereto.

6 (iii) To establish and determine policy for a system of public health clinics for
7 the treatment and prevention of physical and mental illnesses and for the education of the public
8 with respect to environmental, physical and mental health.

9 (iv) To have general care and responsibility for the health and sanitary interests
10 of the people of the county including the investigation and study of the causes of disease,
11 epidemics, nuisances affecting public health, prevention of contagious diseases and the
12 preservation of health.

13 (v) To hold such public meetings and hearings and to cause such studies and
14 investigations to be made as it may deem necessary or appropriate in connection with the above
15 stated powers and duties.

16 (j) The county board of health shall meet at least nine times annually. Emergency
17 meetings of the board may be called by the chairman either on [his] THE CHAIRMAN'S own
18 authority or at the request of the county health officer. All meetings of the county board of health
19 shall be open to the public; provided, however, that upon the affirmative vote of not less than
20 five members of the board, AND SUBJECT TO THE PROVISIONS OF THE STATE OPEN
21 MEETINGS ACT, it may meet in [executive] CLOSED session.

22

1 SEC. 542.3. DIRECTOR OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY
2 AND PERSONNEL.

3 (A) THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND
4 SUSTAINABILITY SHALL BE ADMINISTERED BY A DIRECTOR WHO SHALL BE
5 RESPONSIBLE DIRECTLY TO THE COUNTY ADMINISTRATIVE OFFICER.

6 (B) THE DEPARTMENT SHALL HAVE SUCH PERSONNEL AS DEEMED
7 NECESSARY TO CARRY OUT THE FUNCTIONS AND DUTIES ASSIGNED TO THE
8 DEPARTMENT.

9

10 SEC. 542.4. FUNCTIONS AND DUTIES OF THE DEPARTMENT OF ENVIRONMENTAL
11 PROTECTION AND SUSTAINABILITY.

12 THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND
13 SUSTAINABILITY SHALL PERFORM SUCH DUTIES AND FUNCTIONS AS MAY BE
14 ASSIGNED FROM TIME TO TIME BY DIRECTIVE OF THE COUNTY
15 ADMINISTRATIVE OFFICER OR BY LEGISLATIVE ACT OF THE COUNTY COUNCIL.

16

17 SEC. 542.5. DIRECTOR OF CORRECTIONS AND PERSONNEL.

18 (A) THE DEPARTMENT OF CORRECTIONS SHALL BE ADMINISTERED BY A
19 DIRECTOR WHO SHALL BE RESPONSIBLE DIRECTLY TO THE COUNTY
20 ADMINISTRATIVE OFFICER.

1 (B) THE DEPARTMENT SHALL HAVE SUCH PERSONNEL AS DEEMED
2 NECESSARY TO CARRY OUT THE FUNCTIONS AND DUTIES ASSIGNED TO THE
3 DEPARTMENT.

4
5 SEC. 542.6. FUNCTIONS AND DUTIES OF THE DEPARTMENT OF CORRECTIONS.

6 THE DEPARTMENT OF CORRECTIONS SHALL PERFORM SUCH DUTIES AND
7 FUNCTIONS AS MAY BE ASSIGNED FROM TIME TO TIME BY DIRECTIVE OF THE
8 COUNTY ADMINISTRATIVE OFFICER OR BY LEGISLATIVE ACT OF THE COUNTY
9 COUNCIL.

10

11 SEC. 542.7. DIRECTOR OF ECONOMIC AND WORKFORCE DEVELOPMENT AND
12 PERSONNEL.

13 (A) THE DEPARTMENT OF ECONOMIC AND WORKFORCE DEVELOPMENT
14 SHALL BE ADMINISTERED BY A DIRECTOR WHO SHALL BE RESPONSIBLE
15 DIRECTLY TO THE COUNTY ADMINISTRATIVE OFFICER.

16 (B) THE DEPARTMENT SHALL HAVE SUCH PERSONNEL AS DEEMED
17 NECESSARY TO CARRY OUT THE FUNCTIONS AND DUTIES ASSIGNED TO THE
18 DEPARTMENT.

19 SEC. 542.8. FUNCTIONS AND DUTIES OF THE DEPARTMENT OF ECONOMIC AND
20 WORKFORCE DEVELOPMENT.

21 THE DEPARTMENT OF ECONOMIC AND WORKFORCE DEVELOPMENT
22 SHALL PERFORM SUCH DUTIES AND FUNCTIONS AS MAY BE ASSIGNED FROM

1 TIME TO TIME BY DIRECTIVE OF THE COUNTY ADMINISTRATIVE OFFICER OR BY
2 LEGISLATIVE ACT OF THE COUNTY COUNCIL.

3

4

Article VI. County Board of Appeals

5

6 Sec. 602. Powers and functions of county board of appeals.

7 The county board of appeals shall have and may exercise the following functions and powers:

8 (a) Appeals from orders relating to zoning. The county board of appeals shall have and

9 exercise all the functions and duties relating to zoning described in TITLE 10 OF THE LOCAL

10 GOVERNMENT Article [25A] of the Annotated Code of Maryland as such functions and

11 powers may be prescribed by legislative act of the County Council. All references in law to the

12 board of zoning appeals shall be construed to refer to the county board of appeals. In all cases,

13 except those excluded by this Charter or by legislative act of the county council, the order of the

14 county board of appeals shall be final unless an appeal is taken therefrom in the manner provided

15 in section 604 of this article.

16 (d) Appeals from executive, administrative and adjudicatory orders. The county board

17 of appeals shall hear and decide appeals from all other administrative and adjudicatory orders as

18 may from time to time be provided by TITLE 10 OF THE LOCAL GOVERNMENT Article

19 [25A] of the Annotated Code of Maryland [(1957 Edition)], as amended, or by legislative act of

20 the county council not inconsistent therewith.

21

22

1 Article VII. Budgetary and Fiscal Procedures

2
3 Sec. 704. Formulation of current expense budget.

4 Not less than one hundred twenty days prior to the end of each fiscal year, the head of
5 each office, department, institution, board, commission and other agency of the county
6 government shall furnish to the director of [the] budget AND FINANCE estimates of the
7 revenues and expenditures of their several operations for the ensuing fiscal year. Estimated
8 revenues shall be detailed as to source, and estimated expenditures as to program or project. All
9 such estimates shall be submitted with such other supporting data as the director of [the] budget
10 AND FINANCE may request. The data so submitted shall thereupon be reviewed by the county
11 administrative officer and the current expense budget compiled therefrom for transmission to the
12 county executive for [his] THE COUNTY EXECUTIVE'S approval.

13
14 Sec. 705. Formulation of capital budget and capital program.

15 (a) Submission of data for referendum. In each year of a general election in the county,
16 the county executive shall cause to be placed on the ballot for referendum all questions relating
17 to the issuance of bonds or evidences of indebtedness as may require the approval of the voters
18 of the county as provided in section 718 of this article. Such questions shall be determined as
19 follows:

20 (1) At such time or times as the county administrative officer may direct, the
21 director of planning shall transmit to the director of [the] budget AND FINANCE the

1 recommendations of the planning board for borrowing for capital projects to be undertaken in the
2 next ensuing two fiscal years and of a character requiring authorization by referendum.

3 (2) The county administrative officer shall then review such recommendations
4 with the director of [the] budget AND FINANCE in the light of the existing capital program, and
5 shall submit to the county executive a borrowing plan for the forthcoming referendum.

6 (b) Preparation of capital budget and capital program. At such time or times as the
7 county administrative officer may direct, each office, department, institution, board, commission,
8 or other agency of the county government shall submit to the director of [the] budget AND
9 FINANCE for transmission to the [office] DEPARTMENT of planning [and zoning] an itemized
10 list of the capital projects which such agency proposes to undertake in the ensuing fiscal year and
11 the next succeeding five fiscal years thereafter. After consideration by the planning board, the
12 director of planning [and zoning] shall transmit to the director of [the] budget AND FINANCE
13 the list of projects recommended by said board to be undertaken in the period aforesaid and its
14 estimates of the cost thereof. The county administrative officer, with the assistance of the
15 director of [the] budget AND FINANCE, shall consider such recommendations with the other
16 budget proposals and shall submit to the county executive, together with the current expense
17 budget, a complete capital budget and capital program.

18 (c) Inclusion in capital budget of items not yet approved by referendum. In election
19 years, when questions relating to county borrowing are to be placed on the ballot, the capital
20 budget as approved by the county executive and proposed by [him] THE COUNTY
21 EXECUTIVE to the county council may contain items to be financed by borrowing to be
22 approved at the forthcoming election in the same year; but no such item which by law may

1 require the approval of the voters shall be included in the county budget as finally adopted by the
2 county council unless a favorable vote by referendum shall first have been recorded thereon as
3 provided in Section 718 of this Article.

4

5 Sec. 706. Submission and contents of the county budget.

6 (c) Contents of the budget message. The budget message shall contain supporting
7 summary tables and shall explain the proposed current expense budget and capital program both
8 in fiscal terms and in terms of work to be done. It shall outline the proposed financial policies of
9 the county for the ensuing fiscal year and describe the important features of the current expense
10 budget. It shall indicate any major changes in financial policies and in expenditures,
11 appropriations and revenues as compared with the fiscal year currently ending, and shall set forth
12 the reasons for such changes. As to the capital program, the message shall include an explanation
13 of changes made by the county executive in the program presented by the [office]
14 DEPARTMENT of planning [and zoning]. The message shall also include such other material as
15 the county executive may deem desirable.

16

17 Sec. 712. Supplementary and emergency appropriations.

18 (a) Supplementary. During any fiscal year, the county council, upon the
19 recommendation of the county executive on the advice of the county administrative officer, may
20 make additional or supplementary appropriations from unexpended and unencumbered funds set
21 aside for contingencies in the county budget, or from gifts or grants received from sources not
22 anticipated in the budget for the current fiscal year, provided that the director of BUDGET AND

1 finance shall certify in writing that such funds are available for such appropriation. No
2 supplemental appropriation shall exceed the amount of the funds so certified.

3

4 Sec. 715. Appropriation control and certification of funds.

5 No office, department, institution, board, commission, or other agency of the county
6 government shall, during any fiscal year, expend or contract to expend any money or incur any
7 liability or enter into any contract which by its terms involves the expenditure of money, for any
8 purpose, in excess of the amounts appropriated or allotted for the same general classification of
9 expenditure in the budget for such fiscal year or in any supplemental appropriation as
10 hereinabove provided. No such payment shall be made nor any obligation or liability incurred,
11 except for small purchases in an amount less than one hundred dollars, or such amount as may be
12 set by legislative act of the county council, unless the director of BUDGET AND finance shall
13 first certify that the funds for the designated purpose are available. Any contract, verbal or
14 written, made in violation of this section shall be null and void, and if any officer, agent or
15 employee of the county shall knowingly or willfully violate this provision, such action shall be
16 cause for his removal from office by a majority of the total number of county council members
17 established by this Charter.

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1 Article VIII. Merit System

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3 Sec. 801. County council to establish and maintain merit system; composition of exempt
4 service.

5 At its first annual legislative session after the effective date of this Charter, the county
6 council shall enact a county personnel law establishing a merit system of personnel
7 administration. The county personnel law shall provide for the division of all employees in the
8 county government into the classified and the exempt service, the latter to consist of:

9 (1) All elected officials,

10 (2) The county administrative officer, the zoning commissioner and deputies, AND the
11 heads of all offices and departments [and civil defense bureau],

12 (3) All employees of the department of education and all employees covered by the state
13 merit system,

14 (4) The members of the appeal tax court and all boards and commissions (except
15 otherwise classified employees serving thereon ex officio),

16 (5) All professional consultants performing temporary or part-time services,

17 (6) All attorneys at law,

18 (7) Not more than one confidential clerk or private secretary for the county executive,
19 nor more than one for the county administrative officer,

20 (8) All employees of the county council and the office of the county auditor, and

1 (9) Such seasonal or occasional employees and such nonsupervisory employees paid on
2 an hourly basis as may be specifically exempted from the effect of the county personnel law or
3 from the plans, rules and regulations thereto.

4
5 Sec. 802. Contents of county personnel law.

6 The county personnel law shall provide for the following:

7 (a) The administration of the affairs of the office established by this Charter and known
8 as "The Office of [Personnel] HUMAN RESOURCES" by a director of [personnel] HUMAN
9 RESOURCES who shall be qualified by special training and at least five years' experience in
10 personnel administration in public service or private industry, or both, and who shall be
11 appointed in the same manner as the heads of other offices and departments in the administrative
12 services.

13 (b) A personnel and salary advisory board composed of registered voters of the county
14 who favor the application of merit principles to public employment, and who shall receive no
15 compensation for their services except reasonable and necessary expenses. The number and term
16 of office of the members of the personnel and salary advisory board shall be as provided in the
17 county personnel law. Said law may provide for the election of not more than one member of the
18 board by the employees in the classified service and may also provide that the director of
19 [personnel] HUMAN RESOURCES shall serve ex officio as a member thereof, but no other
20 members of the board shall hold any other public office.

21 (c) Authority in the director of [personnel] HUMAN RESOURCES to approve and
22 certify all payrolls of employees in the classified service.

1 (e) A provision that, upon the adoption of such plans, rules and regulations, the director
2 of [personnel] HUMAN RESOURCES shall transmit them to the county executive for
3 submission to the county council for legislative action thereon. No such plan, rules or regulations
4 shall have the force and effect of law unless and until the same be included in a public local law
5 to be adopted by this county council in the manner provided in Article III of this Charter.

6 (g) Appeals to the personnel and salary advisory board in case of disciplinary actions by
7 appointing authorities and from decisions of the director of [personnel] HUMAN RESOURCES
8 in cases involving examinations and examination ratings; provided, however, that if the director
9 of [personnel] HUMAN RESOURCES shall be a member ex officio of the personnel and salary
10 advisory board, [he] THE DIRECTOR shall be disqualified from participating in any appeals
11 from [his] THE DIRECTOR'S own decisions.

12
13 Sec. 804. Abolition of board of police department examiners and board of fire department
14 examiners.

15 Upon the adoption of the county personnel law as above provided, the board of
16 examiners for the police department of Baltimore County and the board of examiners for the fire
17 department of Baltimore County shall cease to exist, and all their powers, duties and functions
18 shall be performed by the director of [personnel] HUMAN RESOURCES and the personnel and
19 salary advisory board as may be provided in the county personnel law.

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1 Article IX. Centralized Purchasing.

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3 Sec. 903. Application of this Article to departments and agencies under state law.

4 The provisions of this Article shall apply to the department of education and other
5 departments and agencies created by or operating under the public general laws of this state only
6 to the extent requested by them. In the interests, however, of promoting uniformity and of
7 effecting maximum savings for all purchases out of county funds, the purchasing facilities of the
8 office of [central services] BUDGET AND FINANCE shall always be available to such
9 departments and agencies, and their use shall be encouraged.

10
11 Sec. 905. Conformity with budget limitations and allotments.

12 No deliveries of supplies, materials or equipment shall be made to any office, department,
13 board, institution, commission or agency of the county government in excess of the available
14 appropriation or allotment therefor, and except for small purchases in an amount less than one
15 hundred dollars or such amount as may be set by the legislative act of the county council, no
16 payment shall be made out of county funds for the purchase of supplies, materials or equipment,
17 unless the director of BUDGET AND finance shall first certify that the funds for the designated
18 purpose are available.

1 Article X. Miscellaneous.

2
3 Sec. 1005. Compilation of laws.

4 (a) Code of laws. At intervals not greater than every ten years, the county council shall
5 provide for a compilation and codification of this Charter and all public local laws, acts, rules,
6 regulations, resolutions and ordinances, having the force and effect of law other than those of a
7 temporary or special character of the county in effect at such times. It shall be published together
8 with an index, and such appropriate notes, citations, annotations and appendices as may be
9 determined by the county council and the office of law. The county council shall cause such
10 codes to be published by and distributed through the office of [central services] BUDGET AND
11 FINANCE.

12
13 Sec. 1006. Bonding of officers.

14 The director of BUDGET AND finance and such other officers and employees of the
15 county as may be required by public local or general law shall post such bonds in such penalties,
16 with such conditions and with such sureties as may be specified in such laws.

17
18 Article XI. Transitory Provisions.

19
20 Sec. 1109. Bond of director of BUDGET AND finance; references in laws to county treasurer.

21 Unless otherwise hereafter provided by law, the director of BUDGET AND finance shall
22 give the same bonds for the faithful performance of his duties as are now required of the county

1 comptroller, and, after the abolition of the office of county treasurer, such additional bonds as
2 may be required of such officer. All references in the laws to the county treasurer shall, after the
3 abolition of said office, be construed to refer to the director of BUDGET AND finance,
4 whenever such construction would be reasonable.

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6

7 SECTION 2. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the
8 Baltimore County Charter, the question of whether or not the Charter is to be amended as
9 proposed by this Act shall be submitted to the voters of Baltimore County at the general election
10 on November 6, 2018, and that this Act shall be published in at least two newspapers of general
11 circulation in the County for five successive weeks prior to the election.

12

13 SECTION 3. AND BE IT FURTHER ENACTED, that upon ratification by the voters
14 of Baltimore County, this Act shall become effective from and after the thirtieth day following
15 said election.