

Resolution No. 05-14
Charter Amendment No. CA2014-00059
Dated Posted: June 06, 2014
Effective Date: July 22, 2014

Resolution of the Mayor and Council of Rockville adopted pursuant to Article XI-E of the Constitution of Maryland, Sections. 4-303 and 4-304 of the Local Government Article of the Annotated Code of Maryland, and the Charter of the City of Rockville to amend Section 6 of Article VIII, "Personnel," of the Charter of the City of Rockville so as to expand the list of prohibitions which in any way discriminate against any person in the City's classified civil service or anyone seeking admission to the classified civil service; to eliminate the prohibition on favoring certain individuals in the City's classified civil service or certain individuals seeking admission to the classified civil service; and to increase the fine to \$500.00 for a violation of said Section 6 of Article VIII "Personnel."

Section 1. BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Section 6 of Article VIII of the Charter of the City of Rockville be amended to read as follows:

ARTICLE VIII

Personnel

Section 6. Prohibitions.

a. No person in the classified civil service of the City or seeking admission thereto shall be appointed, promoted, demoted, removed, or in any way [favored or] discriminated against because of age (in accordance with applicable law), sex, race, ancestry, color, religion, sexual orientation, gender identity or expression, work-related injury claim, pregnancy, veteran status, political ideology, national origin, marital status, disability, genetics, [or] political or union affiliation, or any other factors not related to

ability to perform the work. No person shall wilfully or corruptly commit or attempt to commit any fraud preventing the impartial execution of the personnel provisions of this Charter or of the rules and regulations made thereunder; no officer or employee in the classified civil service of the City shall continue in such position after becoming a candidate for nomination or election to any City public office; no person seeking appointment to or promotion in the classified civil service of the City shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with the appointment, proposed appointment, promotion, or proposed promotion of such person; no officer or employee of the City shall orally, by letter or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription, or contribution for any political party involved in City elections or for any political purpose related to City elections or City political issues from any person holding a position in the classified civil service of the City. No person holding a position in the classified civil service of the City shall take any part in the management, affairs, or political campaign of any political party involved in City elections or candidate for City public office.

b. Any person who singly or with others wilfully or corruptly violates any of the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than five~~one~~ hundred dollars (\$500~~[100].00~~), or by imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment. Any person who is convicted under this section shall for a period of five (5) years be ineligible for appointment to or employment in a position in the City service, and shall, if an officer or employee of the City, immediately

forfeit said office or position.

Section 2. AND BE IT FURTHER RESOLVED that the date of the adoption of this Resolution is June 2, 2014 and that the amendment to the Charter of the Mayor and Council of Rockville hereby proposed by this enactment shall be and become effective on July 22, 2014 unless a proper petition for a referendum hereon shall be filed as permitted by law. A complete and exact copy of this Resolution shall be posted in City Hall until July 16, 2014, and a fair summary of this Resolution shall be published in a newspaper of general circulation in the City of Rockville not less than four (4) times, at weekly intervals before **July 22, 2014**.

Section 3. AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Mayor and Council of Rockville shall send separately, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Reference, the following information concerning the charter amendment: (1) the complete text of the Charter of the Mayor and Council of Rockville as hereby enacted; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for and against the question concerning the Charter amendment, whether by the Council of the Mayor and Council of Rockville or in a referendum; and (4) the effective date of the Charter amendment.

Section 4. AND BE IT FURTHER RESOLVED that the Mayor of the Mayor and Council of Rockville is hereby specifically enjoined and instructed to carry out the provisions of Sections 2 and 3. As evidence of compliance herewith, the said Mayor

shall cause to be affixed to the minutes of this meeting (1) appropriate certificates of publication of the newspaper in which the Title of this Resolution shall have been published and (2) the return receipts of the mailing referred to in Section 3, and shall further complete and execute the Certificate of Effect attached hereto.

Mayor Bridget Donnell Newton

Councilmember Beryl Feinberg

Attest:

Douglass A. Barber,
City Clerk

Councilmember Tom Moore

Councilmember Virginia Onley

Councilmember Julie Palakovich Carr