

AS AMENDED ON APRIL 28, 2014

CITY OF SALISBURY

CHARTER AMENDMENT NO. 2398

A RESOLUTION TO AMEND ARTICLE III, SECTION SC 3-4, AND ARTICLE IX, SECTIONS SC 9-1 AND SC 9-3, OF THE CHARTER OF THE CITY OF SALISBURY, MARYLAND TO CHANGE THE REQUIREMENTS FOR APPOINTMENT AND REMOVAL OF THE CITY SOLICITOR.

WHEREAS, the Charter of the City of Salisbury may be amended as outlined in § SC21-1 and § SC21-2 and in § 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, the City of Salisbury has decided that it is in the best interests of its citizens for its City Solicitor to be appointed and removed by agreement of its Mayor and Council.

NOW, THEREFORE, be it resolved by the City Council of the City of Salisbury, that Article IX of the Charter be amended as follows:

ARTICLE IX Department of Law

§ SC9-1. City Solicitor.

There shall be a Department of Law headed by the City Solicitor. The City Solicitor and any Assistant City Solicitors, ~~as necessary~~, shall be appointed by and serve at the pleasure of the Mayor and a majority of the full Council. The compensation of the City Solicitor and any Assistant City Solicitors, ~~as necessary~~, shall be determined by the Council. Additional legal counsel may be authorized and/or retained from time to time by the Council.

§ SC9-3. Duties.

The duties of the City Solicitor and any Assistant City Solicitors, ~~as necessary~~, shall include the following:

A. Legal adviser. The City Solicitor and any Assistant City Solicitors, ~~as necessary~~, shall be the legal advisers of the City of Salisbury and shall have general supervision and direction of all legal business of the city. The City Council, any of the Council members, and all heads of offices, departments and agencies appointed by the Mayor pursuant to § SC3-4(C) of this Charter, and the City Administrator and the City Clerk, who shall be appointed as provided in §SC4-2 and §SC8-1, respectively, shall have the authority to seek supervision and direction from the City Solicitor and any Assistant City Solicitors, for any matter which such person shall determine in his sole discretion, involves the legal business of the City of Salisbury, including but not limited to any matter described in subsections (B)-(E) of this section.

F. Conflicts. Nothing herein shall prohibit the City Solicitor or any Assistant City Solicitors from practicing law outside of their service to the City, so long as no conflict of interest exists and so long as the duties of the City Solicitor receive the care, time and attention necessary to ensure the accurate, expedient, cost-efficient and dutiful execution of the City's legal needs.

52 AND BE IT FURTHER RESOLVED by the City Council of the City of Salisbury that Article III
53 of the Charter be amended as follows:

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55 ARTICLE III The Mayor

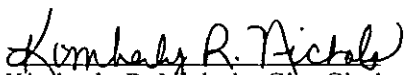
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57 § SC3-4. Powers.

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59 C. Appointments. The Mayor with the advice and consent of a majority of the full Council shall
60 appoint the heads of all offices, departments and agencies of the government of the City of
61 Salisbury as established by this Charter or by ordinance of the Council, with the exception of the
62 City Clerk and the City Solicitor, who shall be appointed as provided in § SC8-1 and § SC9-1,
63 respectively. The City Clerk and City Solicitor shall serve at the pleasure of a majority of the full
64 Council. ~~The City Administrator and City Solicitor shall serve at the pleasure of the Mayor and~~
65 ~~a majority of the full Council, and a~~ All other department heads shall serve continuously unless
66 terminated pursuant to § SC2-10. All subordinate officers and employees of the offices,
67 departments and agencies, excepting those serving under the City Clerk and the City Solicitor,
68 shall be appointed by the Mayor on the recommendation of the head of the office, department or
69 agency concerned subject to budgetary appropriations. Except as may be modified by the
70 adoption of a merit system, all subordinate officers and employees may be removed by the Mayor
71 on the recommendation of the appropriate office, department or agency head, excepting those
72 serving under the City Clerk and the City Solicitor.

73
74 AND BE IT FURTHER RESOLVED by the City Council of the City of Salisbury that
75 this Resolution take effect fifty (50) days from and after the date of its final passage, subject to
76 the right of referendum, and that its provisions shall be implemented on the 17th day of
77 June, 2014. The Mayor shall therefore proceed with the posting and publication of
78 this Resolution pursuant to the requirements of Local Government Article § 4-304 of the
79 Annotated Code of Maryland.

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81 This Resolution was introduced, read, and passed at a meeting of the Salisbury City
82 Council held on the 28th day of April, 2014.

83
84 ATTEST:

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86 
87 Kimberly R. Nichols, City Clerk



Jacob R. Day, City Council President

Publish: May 3, 2014
May 10, 2014
May 17, 2014
May 24, 2014

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: City Council
Mayor
From: Tom Stevenson
Subject: Charter Amendment, City Solicitor
Date: April 22, 2014

Attached, please find a resolution that will have the effective of amending Article IX, Section SC 9 -1 of the Charter of the City of Salisbury, Maryland to change the requirements for the appointment and removal of the City Solicitor.