

**CITY OF TANEYTOWN
ORDINANCE 08 - 2018
AMENDMENTS TO CAMPAIGN FINANCE ORDINANCE**

WHEREAS, pursuant to Section C-401(A) of the Charter of the City of Taneytown, the Mayor and City Council shall have the power to pass all ordinance not contrary to the Constitution or laws of the State of Maryland as deemed necessary for the good government of the City and the protection and promotion of comfort, convenience, welfare and happiness of the residents of the City of Taneytown; and

WHEREAS, the Mayor and City Council believe that transparency in the means and manner by which individuals who seek public office in the City of Taneytown is of paramount importance in allowing a fair and open election contest and providing the citizens with all the information necessary to make a reasonable and informed decision on the individuals which will lead their community; and

WHEREAS, the Mayor and City Council enacted certain regulations regarding Campaign Finances with the adoption of Chapter 18 of the City Code in 2016; and

WHEREAS, since the adoption thereof, the Taneytown Ethics Commission has administered said Ordinance and issued recommendations for changes to the provisions thereof; and

WHEREAS, the Mayor and City Council wish to adopt these recommendations to further the purposes and goals of the Campaign Finance Chapter.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF TANEYTOWN THAT:

SECTION ONE: That the following amendment be made to Section 18-2, Time and manner of reporting – candidates.

D. The next report of every candidate, whether elected or not, shall be filed on the last day of the month in which the election was conducted.

SECTION TWO: That the following amendment be made to Section 18-4, Time and manner of reporting – political committees.

E. The next report of such political committee shall be filed on the last day of the month in which the election was conducted.

SECTION THREE: That the following amendment be made to Section 18-6, Time and manner of reporting – individuals.

E. The final report of such an individual shall be filed on the last day of the month in which the election was conducted.

SECTION FOUR: That the following amendment be made to Section 18-7 – Failure to file report.

C. For the purposes of this Chapter, a candidate, political committee or individual must not only file a timely required report, but said report must be complete and materially correct. All reports shall be reviewed and approved by the Ethics Commission. The Ethics Commission may impose fines and penalties for incomplete and incorrect reports which are filed.

SECTION FIVE: That the following amendment be made to Section 18-9 – Restrictions on campaign contributions.

Sec. 18-9. - Restrictions on campaign contributions.

B. The contributions of a candidate to the candidate's own campaign are not subject to the limitations of this section, however said monetary contributions must pass through a campaign account unless such self-funded contributions do not exceed \$500.00, no other contributions are received by said candidate, and the candidate has elected to be self-funded and signed the necessary affidavit as provided by this Chapter. Said contributions shall be reported as required in other provisions of this Chapter.

C. Any campaign contributions received by a candidate or political committee must be deposited in a separate account with a financial institution. Said accounts must be checking accounts. Campaign contributions must not be commingled with any other funds.

SECTION SIX: That the following amendment be made to Section 18-11 – Prohibition on use of campaign contributions.

B. No campaign expenditure shall be made in cash. All expenditures shall be made by check from the campaign account, except as otherwise provided by this Chapter in provisions relating to candidates who have filed a self-funding affidavit.

SECTION SEVEN: That the following amendment be made to Section 18-18 – Forms:

Sec. 18-18. – Forms and Self-Funding Affidavit.

The Taneytown Ethics Commission shall be responsible for promulgating the forms necessary to carry out the intent of this Chapter. A form shall be provided for candidates that solely self-fund their campaign and expend less than \$500.00, which shall contain an affidavit to such information and will be filed with the first report required under this Chapter. Upon making this election, the Candidate is prohibited from expending more than \$500.00 and accepting campaign contributions for the remainder of the election cycle. These candidates shall be required to file an expenditure report at the times required by this Chapter.

Further, the Ethics Commission shall be empowered to request and receive, any and all documentation from those regulated under this Chapter, to support, substantiate, or investigate matters related to the purposes of this Chapter.

SECTION EIGHT: that the following amendment be made to Section 18-19. Violation; injunctive relief.

A. To enforce compliance with the provisions of this Chapter the Ethics Commission may impose fines up to \$500.00 for each violation to the provisions of this Chapter.

B. Any person who willfully violates the provision of this Chapter shall be guilty of a misdemeanor. Any officer or employee of the City government who is convicted of a misdemeanor under the provisions of this chapter shall immediately upon a guilty finding cease to hold such office or employment.

C. In addition thereto, the City may institute injunctive, mandamus or any other appropriate action or proceedings at law or equity for enforcement of this chapter or to correct violations of this chapter, any court of competent jurisdiction shall have the right to issue restraining order, temporary or permanent injunctions or mandamus or other appropriate form of remedy or relief.

SECTION NINE. This Ordinance shall become effective immediately upon the adoption.

INTRODUCED THIS ____ DAY OF _____, 2018

CLARA KALMAN, CITY CLERK

PASSED THIS ____^{DAY} OF _____ 2019 BY A VOTE OF _____
COUNCILMEMBERS IN FAVOR AND _____ COUNCILMEMBERS OPPOSED.

CLARA KALMAN, CITY CLERK
APPROVED THIS _____ DAY OF _____ 2019.

JAMES L. MCCARRON, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
THIS _____ DAY OF _____, 2019.

BY: _____
JACK A. GULLO, JR., CITY ATTORNEY