



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.GOV

410-939-1800

# Havre de Grace City Election

MAY 7, 2024

## CANDIDATE APPLICATION, INSTRUCTION, and INFORMATION PACKET

- ✓ Non-Partisan Election Notice
- ✓ Campaign Sign Regulations
- ✓ Instructions

### Return:

- ✓ Certificate of Candidacy Form
- ✓ Gifts Disclosure Statement
- ✓ Campaign Contributions Disclosure Statement
- ✓ Interests Disclosure Statement
- ✓ Candidate Acknowledgement Forms (#1 & #2)
- ✓ Application Fee Payment - \$ 50.00 - City Council  
\$100.00 - Mayor

**Filing for Candidacy Closes at 5:00 p.m. on March 19, 2024**



# City of Havre de Grace

---

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

410-939-1800

[WWW.HAVREDEGRACEMD.COM](http://WWW.HAVREDEGRACEMD.COM)

## **NONPARTISAN ELECTIONS**

In this era of partisan politics we share a rare moment of enlightenment through our nonpartisan election process.

Nonpartisan is defined as: “not supporting or controlled by a political party, special interest group or the like.

Havre de Grace has and maintains a nonpartisan election process, as do many municipalities throughout the State.

Our candidates are prohibited from associating with or receiving direct support from any political party or politically affiliated association.

We use this forum to remind candidates, both new and veterans of the process, to refrain from such activity.



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## CANDIDATE'S GUIDE FOR POSTING SIGNS

1. Campaign signs are classified as “temporary signs” and while not requiring a permit, placement of signs and the duration of posting of temporary signs must conform with City Code §151. Signs will not be removed due to any political content. However, signs located in City right-of-way will be removed by City Code Enforcement Officials if they are in violation of the City Code or visually interfere with the safety of pedestrians or vehicular traffic. They may be reclaimed by calling City Hall. Signs that are confiscated and not claimed will be disposed of after 7 days following the date of the event or election, to which they relate.
2. City ROW's vary but for the main arteries into and out of the City, typically the ROW measure 35 feet from the centerline of the street. More narrow interior streets within the City measure less but some ROW's extend up to or include the front of the structure on some properties. In these instances, signs should be placed as close to the front of the structure as possible. The entity, or person in charge of placement of a temporary sign shall first obtain the permission of the immediate property owner or occupant adjacent to the City right-of-way where the sign is to be located.
3. Temporary signs may be located on private property without a sign permit or fee provided they do not interfere with pedestrian/traffic safety or create visual clutter. In these instances, Code Enforcement will request property owners to relocate or remove the signs.
4. Temporary signs on private property cannot be larger than 8 square feet (e.g., 24" x 48").
5. Per City Code, the sign cannot be erected more than 45 days prior to the event or election to which it relates and the sign will not remain more than 7 days after the event or election. In no event shall a temporary sign placement exceed 90 days.
6. If you have any questions or concerns please contact the Department of Planning for assistance.



## INSTRUCTIONS

**PLEASE REVIEW THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING AND SUBMITTING YOUR FORMS:**

- **CERTIFICATE OF CANDIDACY;**
- **GIFTS DISCLOSURE STATEMENT;**
- **CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT;**
- **INTERESTS DISCLOSURE STATEMENT; AND**
- **CANDIDATE ACKNOWLEDGMENTS (2).**

### **A. Certificate of Candidacy**

Page 1 - Fill in your name as it is to appear on the ballot.

Provide your home address and telephone numbers.

Indicate whether you are a candidate for Mayor or City Council

Provide requested documentation.

Page 2 - Sign and date where indicated before a notary public.

Provide payment of \$100.00 or \$50.00 by cash or check.

ATTACH the following forms and bring to City Board of Elections Supervisor at City Hall, 711 Pennington Avenue, Havre de Grace, Maryland 21078.

1. Gifts Disclosure Statement
2. Campaign Contributions Disclosure Statement
3. Interests Disclosure Statement
4. Candidate Acknowledgement #1
5. Candidate Acknowledgement #2

### **B. Gifts Disclosure Statement**

Page 1 - Fill in your name, address, phone number and email.

Indicate whether you are a candidate for Mayor or City Council.

Describe each gift and its fair market value, or just list cash value if gift is by cash, check, or other monetary transfer. You only need to identify gifts received in excess of \$20 individually, or in a series exceeding \$100 if received from someone, directly or indirectly, who does business with or is regulated by the City.

Do not include campaign contributions on this form.

If no gifts are required to be disclosed, mark your initials on the line indicated.

Sign and date the form where indicated.

### **C. Campaign Contributions Disclosure Statement**

Page 1 - Fill in your name, address, phone number and email.

Indicate whether you are a candidate for Mayor and City Council.

You only need to disclose certain campaign contributions. Specifically, only those from individuals who do business with the City, the Mayor, City Council members or City officials; or who is regulated by the City; or who contracts with the City, whether proposed or approved, for \$5,000 or more; or who has financial interests distinguishable from the general public that may substantially or materially affect the performance of elected or City officials; or that you know has an employment relationship which could impair your impartiality or judgment. This would apply to contributions made by individuals directly or indirectly by business entities or other interests controlled by them.

List any such contributions received by month/year, name of contributor and the amount received.

### **D. Interests Disclosure Statement**

Interests clarified - Pursuant to Ethics Code Section 67-4(H), the following are "interests" required to be disclosed:

- (1) An interest held by a qualified relative, but not a sibling, if the interest was at any time during the reporting period directly or indirectly controlled by the elected official or candidate.
- (2) An interest held by a business entity in which the elected official or candidate held a 30% or greater interest at any time during the reporting period.
- (3) An interest held by a trust or an estate in which, at any time during the reporting period:
  - (a) The elected official or candidate held a reversionary interest or was a beneficiary; or
  - (b) If a revocable trust, the elected official or candidate was a settlor.
- (4) An "interest" shall not include exchange traded funds, or ETFs, such as a diversified collection of assets like a mutual fund that trades on an exchange.

PAGE 1 - Fill in your name, address, phone number and email.

Indicate whether you are a candidate for Mayor or City Council.

Date and sign the certification.

Disclose your ownership in real property. If no legal address, use a description (Smith Farm on Jones Road) and deed liber/folio reference.

Examples of "nature of interest" would be fee simple ownership, life estate, tenant in common, remainderman, or joint ownership.

Conditions or encumbrances would include mortgages or significant deed restrictions which would hinder property development.

Other persons with interests in the property could be tenants in common, joint tenants, or remaindermen in a life estate.

Within 10 days of receipt of these required Statements (Gifts, Contributions, and Interests), the Board of Election Supervisors shall forward the statements to the Ethics Commission. (City Ethics Code 67-4(A)(4)(d)).

All submitted Statements are available for public inspection during regular business hours. (City Ethics Code 67-4(B)(2)) with the exception of certain redactions where disclosure is prohibited by State law.

If an individual requests inspection of the Interests Disclosure Statement, the Commission shall record (City Ethics Code 67-4(B)(4) and (5):

1. The name, home address, telephone number and email address of the individual reviewing or copying the statement.
2. The name of the person whose Interest Disclosure Statement was examined.
3. The reason for the request.

The Commission shall provide the candidate with a copy of the requestor's information if requests to examine the Statements are made.

Before public review, the home address of any candidate shall be redacted. (City Ethics Code 67-4 (6)).

Statements shall be retained for two years from the date of receipt or completion. (City Ethics Code 67-4(C)).

**REPORTING PERIOD:** The reporting period shall include the entire prior calendar year and is to include current information through the filing date.

**QUALIFIED RELATIVE:** A spouse, parent, child, or sibling. (City Ethics Code 67-1, Definitions).



# City of Havre de

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## Certificate of Candidacy

I hereby certify, under penalties of perjury that my name is:

---

I reside at (effective January 1, 2019, address is to be redacted from public disclosure):

---

Street number, Street, Post Office Box, City, State and Zip

Home Telephone: \_\_\_\_\_ Business Telephone: \_\_\_\_\_

I hereby request that you place my name on the ballot as hereon designated:

---

(No nicknames or titles) Given name or names, plus the initial letter of other given names, if any, and surname (Article 33, Section 4A-1(a)(b) and (c)) on the official ballot to be used in the City Election to be held on the first Tuesday after the first Monday of May in the year Two thousand and \_\_\_\_\_.

I am a candidate seeking the office of (check one): \_\_\_\_\_ Mayor \_\_\_\_\_ Council

In accordance with the City Charter Sections 17 or 21, I acknowledge the following qualifications:

1. I am at least twenty-five (25) years of age
2. I am a citizen of the United States for at least ten (10) years
3. I am a resident of the City of Havre de Grace for not less than two (2) years immediately preceding the election date
4. I am a qualified City voter at the time of filing for candidacy.

In order to verify that I have met the above requirements for the position that I am seeking, I am providing one or more of the following documents (check all that apply):

- Birth Certificate or Naturalization papers
- Valid Driver's License
- Voter Registration Card
- Driving Record Maintained by the Motor Vehicle Administration
- U.S. Postal Service Records
- Land Records as maintained in City Hall or Circuit Court
- Other \_\_\_\_\_

There is a non-transferable filing fee of \$100.00 for Mayor or \$50.00 for City Council that is submitted herewith. Checks must be made payable to the City of Havre de Grace.

I further certify that I meet the qualifications for the above-mentioned office as set forth in the Constitution of Maryland or the Charter of this City and that I am not currently a candidate for any other public office.

\_\_\_\_\_  
Signature of Candidate

Date of this Certificate of Candidacy: \_\_\_\_\_

State of Maryland  
County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public or other authorized person to administer oath

SEAL: \_\_\_\_\_  
Notary Public

---

For office use only:

**In accordance with the City Charter, the Director of Administration must deliver this form to the Board of Elections Supervisor on the Friday following the third Tuesday in March.**

Certification Received by: \_\_\_\_\_

Date Received: \_\_\_\_\_

Amount Paid:  \$100.00  \$50.00 Check Number: \_\_\_\_\_ or Cash received: \_\_\_\_\_

Forms received:

Gifts Disclosure  Campaign Contributions Disclosure  Interests Disclosure

Candidate Acknowledgement Form

Date Candidacy form and required Statements were delivered to the Board of Election Supervisors: \_\_\_\_\_

By: \_\_\_\_\_  
Director of Administration



Within 10 days of receipt of these required statements, the Board of Election Supervisors shall forward the statements to the Ethics Commission. (City Ethics Code 67-4(A)(4)(d)).

Date Candidacy Form/required statements received by the Ethics Commission: \_\_\_\_\_

\_\_\_\_\_  
Signature Ethics Commission Chair or Designated representative

---

### ETHICS COMMISSION REVIEW

Candidacy form and required Statements were reviewed by the Ethics Commission and were

\_\_\_\_\_ accepted \_\_\_\_\_ returned to the candidate for more complete information  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Ethics Commission Chair

Date supplemental forms were received by Ethics Commission: \_\_\_\_\_

Supplemental forms are: \_\_\_\_\_ accepted \_\_\_\_\_ rejected

---

### CERTIFICATION BY BOARD OF ELECTION SUPERVISORS

The Certificate of Candidacy has been verified based on the documentation provided and the above-named candidate has hereby been certified to run for the office indicated.

I hereby declare this candidacy:

\_\_\_\_\_ accepted \_\_\_\_\_ rejected

\_\_\_\_\_  
Election Supervisor

\_\_\_\_\_  
Date

In accordance with the City Charter, within ten (10) days of the original receipt of this form, the Board shall notify those candidates whose certification of candidacy was rejected.



# City of Havre de

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## GIFTS DISCLOSURE STATEMENT

Complete and Return on or before April 30<sup>th</sup> during each year official or employee holds office.

Name of Appointed Official or Employee: \_\_\_\_\_

OR

This Form MUST BE FILED with the Certificate of Candidacy Form

Name of Elected Official or Candidate: \_\_\_\_\_

Address: \_\_\_\_\_  
[home address must be redacted before public disclosure]

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Candidate for: \_\_\_\_\_ Mayor \_\_\_\_\_ Council

### INSTRUCTIONS

City Code - Ethics §67-1 defines GIFT as "The transfer of anything of economic value, regardless of the form, without adequate and lawful consideration. "Gift" does not include the solicitation, acceptance, receipt or regulation of political campaign contributions regulated in accordance with the provisions of the Election Article of the Annotated Code of Maryland, or any other provision of state or Harford County law regulating the conduct of elections or the receipt of political campaign contributions. Notwithstanding the above, gift includes any transfer in the aggregate from one person greater than \$100 for the reporting period to any elected official or candidate for elected office in a City election. Campaign contributions are a separate form of gift that elected officials or candidates for elected office shall disclose."

You must disclose, for the previous calendar year any gift, which was not a campaign contribution that was in excess of \$20.00 in value, or in a series of gifts totaling \$100.00 or more, and received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with or who is regulated by the City, or from an association that is engaged in representing counties or municipal organizations. (See City Ethics Code §67-4(E) and Md. Code Annotated, Ethics, Section 5-607(e)(3)).

For each such gift, state the following:

Description of the Nature and Value of the Gift	Identity and Address of Person or Entity from whom Gift was received

(use additional page if necessary)

If no such gifts were received, please initial here. \_\_\_\_

I hereby certify, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: \_\_\_\_\_  
Signature \_\_\_\_\_



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

This Form MUST BE FILED with the Certificate of Candidacy Form

Name of Elected Official or Candidate: \_\_\_\_\_

Address: \_\_\_\_\_  
[home address must be redacted before public disclosure]

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Candidate for: \_\_\_\_\_ Mayor \_\_\_\_\_ Council

List all campaign contributions received if the donation exceeds \$50.00 in value, or if a series of contributions exceeds \$100, during the reporting period (see City Code Ethics Code §67-4(F)) from an individual (directly or indirectly) who:

- (a) does business with the City, members of City Council or Mayor, or any City Official;
- (b) is regulated by the City;
- (c) contracts, whether approved or proposed, with the City for \$5,000 or more;
- (d) has financial interests distinguishable from the general public that may be substantially and materially affected by the performance of the City, Mayor, City Council, or any City Official; or
- (e) the candidate knows or reasonably should know has an employment relationship with any member of the City Council or the Mayor or City Official which could impair the impartiality or independent judgment of the candidate.

Month/Year Received	Name of Contributor	Amount Received

[attach additional sheet if needed]

I hereby certify, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: \_\_\_\_\_  
Signature



# City of Havre de

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## INTERESTS DISCLOSURE STATEMENT

Name of Elected Official or Candidate: \_\_\_\_\_

Address: \_\_\_\_\_  
[home address must be redacted before public disclosure]

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Candidate for: \_\_\_\_\_ Mayor \_\_\_\_\_ Council

The following interest disclosure statements are required under the City Ethics Code §67-4. I solemnly swear and affirm under penalties of perjury that the following interest disclosures are true and correct to the best of my knowledge and information.

Dated: \_\_\_\_\_  
Signature

### A. Disclosure of interests in real property pursuant to City Ethics Code §67-4(D)(1):

1. List ALL interests in Real Property, wherever located, owned at the time the Certificate of Candidacy is filed:

#### Property 1

Street Address	
Mailing Address (if different)	
Legal Description (if no physical address)	
Nature of interest held	
Conditions or encumbrances	
Date Acquired	
Name of Person Acquired From	
Purchase Price, or fair market price at time acquired if a gift	
Identity of other persons with interests in the property	

#### Property 2

Street Address	
Mailing Address (if different)	
Legal Description (if no physical address)	
Nature of interest held	

Conditions or encumbrances	
Date Acquired	
Name of Person Acquired From	
Purchase Price, or fair market price at time acquired if a gift	
Identity of other persons with interests in the property	

For additional properties, please attach additional sheet.

2. List ALL interests in Real Property owned but transferred during the reporting period:

Description of the Interest transferred	
Nature and amount of consideration received, or if a gift, the fair market value at the time of transfer	
Person to whom property transferred	
Identity of other persons with an interest in the property	
Date property transferred	

For additional properties, please attach additional sheet.

B. Disclosure of interests in corporations, partnerships, or business entities pursuant to City Ethics Code §67-4(D)(2).

List ALL interests in any corporation, partnership, limited liability partnership, limited liability company, or business entity that is regulated by or does business with the City or an agency, board, or commission of the City.

For each business entity in which you own any interest state:

Name of Entity	
Address of Principal Office	
Type of Entity	
Nature and Amount of interest held	
Conditions or encumbrances	
Number of shares or percent of interest held, or the dollar value of the interest held	

For any such business interests transferred in whole or in part during the reporting period:

Description of the interest transferred	
Nature and amount of consideration received	
Identity to whom interest transferred (if known)	
Date of transfer	
Number of shares or percent of interest transferred, or the dollar value of the interest transferred	

For any such business interests acquired during the reporting period:

Date interest acquired	
Manner of acquisition	
Identity of person from whom acquired	
Nature and amount of consideration given, or if a gift, the fair market value of the interest at the time of acquisition	
Number of shares or percent of interest acquired, or the dollar value of the interest acquired	

For additional interests in corporations, partnerships or business entities, please attach additional sheet.

C. Disclosure of any interests or employment with entities doing business with the City (see City Ethics Code §67-4(D)(3))

Identify each position held by the candidate or a qualified relative (as defined in City Code - Ethics §67-1) at any time during the reporting period with entities doing business with the City:

Title or office or salaried position held	
Name of entity with whom position is held	
Address of principal office	
Description of position	
Date position commenced	
Name of City agency, board or commission with which the entity does business	

For additional positions, please attach additional sheet.

D. Disclosure of indebtedness to persons or business entities doing business with the City. City Ethics Code §67-4(D)(4).

List ALL liabilities owed by the candidate or qualified relative (excluding retail credit or credit card accounts) to persons or business entities doing business with the City at any time during the reporting period.

For each liability identify:

Name of Person or Entity to which liability is owed	
Date liability incurred	
Amount of liability at end of reporting period	
Terms of Payment	
Extent to which Principal Increased/Decreased during the reporting period	
Description of security given, if any, for the liability	

For additional indebtedness, please attach additional sheet.

E. Disclosure of qualified relatives employed by the City. (Ethics Code §67-4(D)(5))

Identify each qualified relative of the elected official or candidate employed by the City in any capacity at any time during the reporting period.

Name of qualified relative	
Position held at the City	
Date position commenced	

For additional qualified relatives employed by the City, please attach additional sheet.

F. Disclosure of Sources of Earned Income (Ethics Code §67-4(D)(6))

Identify the name and address of the place of employment for the elected official or candidate and for each qualified relative, and each business entity in which the elected official or candidate or his/her qualified relatives were a sole or partial owner and from which they received earned income, at any time during the reporting period.

Name of Employer	
Address of Employer	
Were you a sole owner of entity from which you received earned income? (yes or no)	
Were you a partial owner of the entity from which you received earned income? (yes or no)	
Name of Employer for qualified relative	
Address of employer for qualified relative	
Was your qualified relative a sole owner of the entity from which they received earned income? (yes or no)	
Was your qualified relative a partial owner of the entity from which they received earned income? (yes or no)	

For additional employer information, please attach additional sheet.

G. Disclosure of judgments, lawsuits, criminal cases and traffic record (Ethics Code §67-4(D)(7)).

List each judgment, lawsuit, criminal case and traffic record by providing the information below:

Description (unpaid money judgment, pending suits for money judgment, criminal or traffic record, etc.)	
Name of Court and County	
Case number	
Outcome or expected resolution date	

For additional suit or judgment information, please attach additional sheet.



THIS INTERESTS DISCLOSURE FORM IS TO BE SUBMITTED WITH YOUR  
CERTIFICATE OF CANDIDACY, THE CANDIDACY ACKNOWLEDGMENT FORM, THE  
GIFTS DISCLOSURE STATEMENT, AND CAMPAIGN CONTRIBUTION DISCLOSURE  
STATEMENT TO:

BOARD OF ELECTION SUPERVISOR(S)

c/o City of Havre de Grace  
711 Pennington Avenue  
Havre de Grace, Maryland 21078.



# City of Havre de

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## CANDIDATE ACKNOWLEDGEMENT #1

(City Code: Ethics §67-4(A)(2))

This CANDIDATE ACKNOWLEDGEMENT MUST BE FILED  
with the Certificate of Candidacy

I, \_\_\_\_\_ (Candidate's name),  
hereby acknowledge receipt of a copy of the “Interests Disclosure Form”, “Campaign  
Contribution Disclosure Statement” and the “Gifts Disclosure Form” for the City of Havre de  
Grace.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Candidate’s Signature



# City of Havre de

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

## CANDIDATE ACKNOWLEDGEMENT #2

### PROHIBITED CONDUCT AND CONFLICTS OF INTEREST

(City Code: Ethics §67-3)

This CANDIDATE ACKNOWLEDGEMENT MUST BE FILED  
with the Certificate of Candidacy

I, \_\_\_\_\_ (Candidate's name),  
hereby acknowledge receipt of a copy of the City Code: Ethics §67-3 (attached hereto as Exhibit  
A) and agree to adhere to the Ethical guidelines as set forth therein.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Candidate's Signature

# EXHIBIT A

## Chapter 67 - Ethics

§ 67-3 Prohibited conduct; conflicts of interest.

- A. Application. All City elected officials, City officials that are appointed or hired by the City, officials appointed to the designated City boards and commissions in this chapter and City employees are subject to this section.
- B. Participation in matters where an association is prohibited. Except where permitted by Commission regulation or permitted by opinion or except in the exercise of an administrative or ministerial duty which does not affect the disposition or decision in the matter, it shall be prohibited for an official or employee to knowingly participate in:
- (1) Any matter of which he/she may be reasonably expected to know that concerns a qualified relative or in which a qualified relative of the official or employee has an interest.
  - (2) Any matter of which he/she may be reasonably expected to know when any of the following is a party thereto:
    - (a) Any business entity in which the official, employee or his/her qualified relative has a financial interest;
    - (b) Any business entity of which the official, employee or his/her qualified relative is an officer, director, trustee, partner or employee;
    - (c) Any business entity which is a party to an existing contract with the official, employee or his/her qualified relative if the contract could reasonably be expected to result in a conflict between the private interests of the official or employee and his/her official duties;
    - (d) Any entity, doing business with the City in which a financial interest is owned by another entity in which the official, employee or his/her qualified relative has a financial interest;
    - (e) Any business entity which the official or employee knows is a creditor or obligee of the official, employee or his/her qualified relative, with respect to a thing of economic value and which, by reason thereof, is in a position to affect directly and substantially the interest of the official, employee or his/her qualified relative; or
    - (f) A business entity with which the official, employee or his/her qualified relative is negotiating or has any arrangement concerning prospective employment.
  - (3) If a disqualification leaves any body with less than a quorum capable of acting, or if the disqualified official or employee is required by law to act or is the only person authorized to act, the disqualified person shall disclose the nature and circumstances of the conflict and may participate or act.
  - (4) An official or employee may not retaliate against an individual for reporting or participating in an investigation of a potential violation of the local ethics law or ordinance. [Added 1-3-2023 by Ord. No. 1092]

- C. Employment restrictions.
- (1) Prohibitions.
- (a) Except as permitted by regulation or opinion of the Commission, and where such interest is disclosed or where the employment does not create a conflict of interest or appearance of conflict, it is prohibited for an official or employee to:
- [1] Be employed by, or have a financial interest in, any entity subject to his/her authority or that of the City agency, board or commission with which he/she is affiliated or any entity which is negotiating or has entered a contract or contracts with the City or the agency, board or commission with which the official or employee is affiliated; or
- [2] Have or maintain any other employment relationship which would impair the impartiality or independence of judgment of the official or employee.
- (b) This prohibition does not apply to:
- [1] An official or employee who is appointed to a regulatory or licensing authority pursuant to a requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;
- [2] Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Commission; or
- [3] An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted in accordance with regulations adopted by the Commission.
- D. Post-employment restrictions. A former official or employee may not assist or represent another party other than the City for compensation in a case, contract or other specific matter involving the City if that matter is one in which the former official or employee significantly participated as an official or employee.
- E. Legislative acts prohibited. The Mayor, Council President, City Attorney, Directors, City Council members, or any appointed official may not, for one calendar year after leaving office, assist or represent another party for compensation in a matter that is the subject of legislative action. [Amended 3-5-2018 by Ord. No. 998; 9-3-2019 by Ord. No. 1023]
- F. Contingent or percentage fee restrictions. An official or employee may not assist or represent a party for contingent compensation or a percentage fee in any matter before or involving the City other than in a judicial or quasi-judicial proceeding.
- G. Use of prestige of office. An official or employee shall not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another. This subsection does not prohibit performance of usual and customary constituent services by an elected official, without additional direct compensation.
- H. Solicitation or acceptance of gifts.
- (1) An official or employee shall not solicit any gift.
- (2) An official or employee shall not knowingly accept any gift, directly or indirectly, from any person that he/she knows or has reason to know:

- (a) Is doing business with the City office, agency, board or commission with which the official or employee is affiliated; or
- (b) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of his/her official duty.
- (c) Is engaged in an activity regulated or controlled by the official's or employee's governmental unit.
- (d) Is an association, or any entity acting on behalf of an association, that is engaged only in representing counties or municipal corporations. [Added 1-3-2023 by Ord. No. 1092]

I. Significant gifts prohibited. Notwithstanding the terms of this chapter, receipt of the following gifts is prohibited:

- (1) Those that would tend to impair the impartiality and the independence of judgment of the official or employee receiving the gift;
- (2) Those of such significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or
- (3) Those of such significant value that the recipient official or employee believes or has reason to believe the gift was designed to impair the impartiality and independence of judgment of the official or employee.

J. Minor gifts that are not prohibited. An official or employee may accept the following gifts:

- (1) Meals and beverages consumed in the presence of the donor or sponsoring entity;
- (2) Ceremonial gifts or awards which have insignificant monetary value;
- (3) Unsolicited gifts of nominal value that do not exceed \$20 or trivial items of informational value;
- (4) Reasonable expenses for food, travel, lodging and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee related to City business in a panel or speaking engagement at the meeting;
- (5) Gifts of tickets or free admission extended to an elected official to attend a charitable, cultural or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;
- (6) A specific gift or class of gifts which the Commission exempts from the operation of this section upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the City and that the gift is purely personal and private in nature to the official or employee;
- (7) Gifts from a qualified relative; or
- (8) Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official duties of the official or employee.

K. Campaign contributions for City elections not prohibited. Notwithstanding anything to the contrary in this section, an official or candidate for elected office may solicit and accept campaign contributions in a City election.

- L. Disclosure of confidential information. Other than in the discharge of his/her official duties, an official or employee or former official or employee shall not disclose or use confidential information acquired by reason of his/her public position or former public position, and which is not available to the public, for the economic benefit of the official or employee or that of another person. [Amended 1-3-2023 by Ord. No. 1092]
- M. Participation in procurement, bids or proposals. An official, employee, or a person that employs an individual that participates in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement for the City or an agency, board or commission may not submit a bid or proposal for that procurement, or assist or represent another person, directly or indirectly, in the submission of a bid or proposal for the procurement. The Commission may establish exemptions from the requirements of this section for providing descriptive literature, sole source procurements, and written comments requested during the procurement process.
- N. Duty to disclose or recuse. An official or employee shall disclose known conflicts of interest or potential conflicts of interest in connection with any specific proposed action by the official or employee sufficiently in advance of the action to prevent a violation or recuse himself/herself or make such other arrangements to avoid a conflict of interest and, where appropriate, make the disclosure to the public.
- O. Exemption and waiver standards. The Commission may grant exemptions or modifications of this section for any official or employee that is appointed or serving as a member of a board or commission, but not an elected official or candidate when it finds that the application of this section would constitute an unreasonable invasion of privacy; significantly reduce the availability of qualified persons for public service; and that the exemption, waiver or modification would not be contrary to the purposes of this chapter.
- P. Anti-harassment, anti-discrimination, anti-intimidation policy. It is the policy of the City of Havre de Grace, Maryland, to maintain a work and meeting environment in which all individuals are treated with respect and dignity. Harassment, whether verbal or nonverbal, physical, or environmental, is unacceptable and will not be tolerated by the City of Havre de Grace. The Mayor and City Council of Havre de Grace has adopted by resolution an anti-harassment, anti-discrimination, and anti-intimidation policy, as recommended by the Ethics Commission, which more specifically enumerates the prohibited conduct. Any violations of the policy shall be subject to enforcement and potential penalties as set forth in § **67-7G** of the Ethics Code. [Added 5-20-2019 by Ord. No. 1018]