

Maryland Constitution

Art. XI, § 4

ANNOTATED CODE OF MARYLAND

qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.

This section may properly be characterized as obsolete and can be repealed in an omnibus amendment. 61 Op. Att'y Gen. 139 (1976).

Cited in Gaither v. Jackson, 147 Md. 655, 128 A. 769 (1925); Hanrahan v. Alterman, 41 Md. App. 71, 396 A.2d 272, cert. denied, 284 Md. 744 (1979).

Section 4. Sessions of city council.

The regular sessions of the City Council of Baltimore, (which shall be annual,) shall commence on the third Monday of January of each year, and shall not continue more than ninety days, exclusive of Sundays; but the Mayor may convene the City Council in extra session whenever, and as often as it may appear to him that the public good may require; but no called, or extra session shall last longer than twenty days, exclusive of Sundays.

Section 5. Mayor and councilmen not to hold other offices, etc., or be interested in city contracts.

No person, elected and qualified as Mayor, or as a member of the City Council, shall, during the term for which he was elected, hold any other office of profit or trust, created, or to be created, by the Mayor and City Council of Baltimore, or by any Law relating to the Corporation of Baltimore, or hold any employment, or position, the compensation of which shall be paid, directly or indirectly, out of the City Treasury; nor shall any such person be interested, directly or indirectly, in any contract, to which the City is a party; nor shall it be lawful for any person, holding any office, under the City, to be interested, while holding such office, in any contract, to which the City is a party.

Applied in Jones v. State, 29 Md. App. 182, 348 A.2d 55 (1975), rev'd on other grounds, 279 Md. 1, 367 A.2d 1 (1976), cert. denied, 431 U.S. 915, 97 S. Ct. 2177, 53 L. Ed. 2d 225 (1977).

Section 6. Removal of mayor.

The Mayor shall, on a conviction in a Court of Law; of wilful neglect of duty, or misbehavior in office, be removed from office by the Governor of the State, and a successor shall thereafter be elected, as in case of vacancy.

Cited in Ames v. Board of Supvrs. of Elections, 195 Md. 543, 74 A.2d 29 (1950).

Section 7. Debts and extension of credit.

From and after the adoption of this Constitution, no debt except as hereinafter provided in this section, shall be created by the Mayor and City Council of Baltimore; nor shall the credit of the Mayor and City Council of Baltimore be given, or loaned to, or in aid of any individual, association, or corporation; nor shall the Mayor and City Council of Baltimore have the power to involve the City of Baltimore in the construction of works of internal improvement, nor in granting any aid thereto, which shall involve the faith and credit of the City, nor make any appropriation therefor, unless the debt or

credit is authorize Baltimore, submitted and place as may be votes cast at that time credit as aforesaid unless the proposed presented to and the Assembly represent regular session of the to the voters, or (ordinance shall provide period of 40 years for Council may, temporarily in the City treasury any emergency arising preserving the health due and proper arrangement in whole or in part law before the adoption

The General Assembly amount of bonds authorized at any one time indebtedness of the 1965, ch. 687, rejected

Effect of amendment divided present first, third and stylistic changes therein and last sentences.

History of section Mayor of Baltimore, 29 (1981).

Intent of section. more v. Gill, 31 Md. 37

This section was in certain kinds of transaction range of economic activity that involves the laws. Eberhart v. Mayor 92, 433 A.2d 1118 (1981)

Act authorizing debtive approval before same can be submitted Baltimore v. Board of 1 Md. 196, 143 A. 800 (1981)

And be approved — Subject only to exception, no debt can be of Baltimore unless authorized by the Mayor of Baltimore, rehearing denied, 130

This section prohibits the City of Baltimore v