

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2020-19**

RESOLUTION NO. 53-2020 As Amended

Title of Resolution: Amendment- Policies and Procedures of Cecil County Council- Legal Opinions.

Synopsis: A Resolution to amend Section 1-5 in the Council's Policies and Procedures to clarify that a Council Member may request a legal opinion to the Council President; and that the Council in session, may determine to request a legal opinion.

Introduced by: Council President Meffley

Introduced and ordered posted on: September 1, 2020

Public Hearing scheduled on: October 6, 2020 at 7:00 p.m.

Consideration scheduled on: October 20, 2020

By: James Massey
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Resolution, having been posted by September 1, 2020 at the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland, and having been published, according to the Charter on September 23, 2020 and September 30, 2020, a public hearing was held on October 6, 2020 and concluded on October 6, 2020.

By: James Massey
Council Manager

EXPLANATION:

CAPITALS INDICATE LANGUAGE ADDED TO EXISTING RESOLUTION

~~Strike-through~~ indicates language deleted from existing Resolution

Underlining indicates language added to Resolution by Amendment

~~Double Strike-Through~~ indicates language stricken out of Resolution by Amendment.

Resolution No. 53 -2020 As Amended
Amendment-Policies and Procedures of Cecil County Council-Legal Opinions

1 **WHEREAS**, pursuant to Section 202 of the Charter of Cecil County, Maryland (the “Charter”),
2 the County Council of Cecil County, Maryland (the “Council”) is the Legislative Branch of
3 government; and

4 **WHEREAS**, the legislative powers and procedures are outlined in the Charter; and

5 **WHEREAS**, pursuant to Section 303(e) of the Charter, the Council may adopt and publish
6 additional rules of legislative procedure that may be desirable and not in conflict with the
7 Charter; and

8 **WHEREAS**, the Council has determined that additional policies and procedures are
9 necessary to support the legislative process in order to operate in a consistent and efficient
10 manner; and

11 **WHEREAS**, the policies and procedures of the Council may be amended by the Council
12 according to the legislative procedures in Sections 303-304 of the Charter.

13 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
14 **COUNTY, MARYLAND**, that the proposed changes to the Policy and Procedures of the Cecil
15 County Council is hereby approved as follows:

16 Chapter 1. General Provisions

17 1-5 Request for Legal Opinion

18 a) Pursuant to section 213 of the Charter of Cecil County, Maryland, the County
19 Council may employ legal advisors as it deems necessary to perform its functions by
20 resolution, at its discretion and subject to the provisions of its budget or
21 supplemental appropriations. The County Council may use legal counsel as
22 contracted by the Council, or the County Attorney, if Council has not contracted an
23 attorney.

24 b) Any Council Member(s) seeking a legal opinion must ~~submit~~ **MAKE** their request ~~in~~
25 ~~writing~~ to the Council President.

26 c) Requests to seek legal opinion must be approved by the Council President or approved
27 by three (3) members of the Council before submission to the Council Attorney.

28 d) The Council Manager will submit the request to the Council Attorney and convey the
29 response to Council Members.

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~~e) DURING AN OPEN OR CLOSED COUNCIL SESSION, THE COUNCIL MAY DETERMINE
TO MAKE A REQUEST FOR A LEGAL OPINION TO THE COUNCIL ATTORNEY.~~

e) During an open or closed Council session, the Council may request a legal opinion
from the Council Attorney, approved by the majority of Council Members.

BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,
that all provisions of this Resolution shall take effect on the date the Resolution is adopted by
the Council.

INTRODUCED: September 1, 2020

ADOPTED: October 20, 2020



President of the Council

ATTEST:



Council Manager