

ORDINANCE NO. 2025-07

**AN ORDINANCE TO AMEND CHAPTER 30, PUBLIC BOARDS, COMMISSIONS, AND COMMITTEES, OF THE CODE OF THE TOWN OF MYERSVILLE, TO REMOVE DEFINITIONS FROM CHAPTER 30 AND REFERENCE DEFINITIONS WITHIN CHAPTER 1, GENERAL PROVISIONS, SECTION 1-16, DEFINITIONS; AND TO MAKE AMENDMENTS THAT ARE CONSISTENT WITH THE TOWN'S EXISTING PRACTICES AND POLICIES.**

**SECTION I. BE IT ENACTED AND ORDAINED**, by the Mayor and Council of the Town of Myersville that Chapter 30 “Boards, Commissions, and Committees” of the Code of the Town of Myersville be, and hereby is, amended as hereinafter provided. New language is designated by being **IN BOLD CAPITAL LETTERS**, and deletions are designated by being ~~{in brackets and stricken through}~~.

Chapter 30 – Public Boards, Commissions, and Committees

§ 30-1. Definitions.

~~{As used in this chapter, the following terms shall have the meanings indicated:~~

~~BOARD—Every public board, commission, committee and other similar body established or created by ordinance or resolution of the Mayor and Council of Myersville.~~

~~MARYLAND OPEN MEETINGS ACT—The General Provisions Article, Title 3, Subtitles 1 through 5, Annotated Code of Maryland (as amended). [Amended 3-13-2018 by Ord. No. 2018-05]~~

~~TOWN—The Town of Myersville, Maryland.~~

~~TOWN COUNCIL or MAYOR AND COUNCIL—The Council of the Town of Myersville as defined in Section 201 of the Town Charter. }~~

**SEE CHAPTER 1, § 1-16, FOR DEFINITIONS OF TERMS.**

§ 30-2. Purpose.

- A. The Mayor and Council ~~{ recognize there is a vast and largely untapped reservoir of talent that exists among the citizenry of the Town of Myersville and its environs, and }~~ **HAVE ESTABLISHED VARIOUS BOARDS, COMMISSIONS AND COMMITTEES BY ORDINANCE OR RESOLUTION TO ENCOURAGE** public input and citizen participation ~~{ is encouraged }~~.
- ~~B. The {Town of Myersville depends on its citizens for ideas, input and suggestions in order to run the Town efficiently and effectively. Toward that end, the Mayor and Council have established numerous boards, which are staffed by elected officials, municipal employees and volunteer citizens}~~
- C. These boards, **COMMISSIONS AND COMMITTEES** ~~{ are established from time to time by ordinance or resolution and are responsible for making recommendations on a variety of topics to the Mayor and Council for consideration and direction }~~ **ARE STAFFED BY ELECTED OFFICIALS, APPOINTED OFFICERS, TOWN EMPLOYEES AND VOLUNTEER CITIZENS TO ENGAGE THE CITIZENRY.**
- D. The general purpose, responsibilities and terms of office for each board, **COMMISSION AND COMMITTEE** are established by their respective ordinance or resolution and in accordance with the policies and guidelines established by the Mayor and Council. The Mayor and Council may create such boards, **COMMISSIONS AND COMMITTEES** not inconsistent with applicable law, as it may from time to time deem necessary to serve the public interest.

§ 30-3. Applicability.

- A. The provisions of this chapter shall apply to every board, **COMMISSION AND COMMITTEE** of the Town. In the event that any of the provisions of this chapter conflict with any specific provision of any statute, law, ordinance or resolution relating to a board, **COMMISSION OR COMMITTEE**, such specific provision shall control.

- B. ~~{The provisions contained herein shall not apply to those boards which are established by Town officials or employees but whose members are not appointed by the Mayor and approved by the members of the Council.}~~
- C. ~~The provisions of this chapter shall not apply to the appointment of Town employees to boards, commissions or committees which will function for a period of one year or less and which are established for the purpose of performing a specific task or tasks after which a report will be submitted to the Mayor and Council.}~~

#### § 30-4. Membership.

The following shall govern the qualifications, appointment and conduct of members of the boards, **COMMISSIONS AND COMMITTEES** of the Town. ~~{; provided, however, that the provisions relating to qualifications and appointment of members of boards, of the Town shall apply only to members who are appointed after the effective date of this chapter and that any member of any board in existence on the effective date of this chapter shall complete the term of office for which such member was appointed unless otherwise removed for cause.}~~

##### A. Qualifications.

- (1) Each person appointed to a board, **COMMISSION OR COMMITTEE** shall be a resident of the Town; provided, however, that the Mayor may appoint and the members of the Council may approve a nonresident as a member of the board if the non-resident exhibits qualifications particularly well suited to that board.
- (2) No person who is a full-time employee of the Town shall be appointed to any board, **COMMISSION OR COMMITTEE**; provided, however, that the Mayor ~~{;}~~ **AND** members of the Council ~~{and administrative officers of the Town}~~ may be appointed as ex-officio members.
- (3) ~~{The Chairperson of a board should be a resident of the Town. The Council may approve a nonresident as a member of the board if the nonresident exhibits~~

~~qualifications particularly well suited to that board.}~~

- (4) ~~{No person shall serve as chair of a board for more than two consecutive terms; provided, however, that in the event this period expires before another chair is appointed, the current chair shall serve until such appointment is made.}~~

## B. Appointments.

- (1) The Mayor, with the advice and consent of the members of the Council, shall appoint the members of a board, **COMMISSION OR COMMITTEE**. No appointment shall be effective until the appointment is approved by the majority vote of the members of the Council.
- (2) ~~{In making an appointment to a board, the}~~ **THE** Mayor shall seek potential appointees **FOR ALL BOARDS, COMMISSIONS AND COMMITTEES** from ~~{the entire Myersville community and may consider information provided by individuals and interest groups}~~ **INDIVIDUALS WHOM HAVE COMPLETED AND SUBMITTED AN APPLICATION FOR CITIZEN SERVICE WITHIN THE PAST TWELVE MONTHS TO THE MYERSVILLE TOWN CLERK.**
- (3) After an appointment has been approved by the members of the Council, the Mayor shall notify the appointee, in writing, of the appointment. ~~{The notice shall advise the appointee that the appointment is subject to the provisions of this chapter as set forth herein and that the appointee may be removed by the Council for a violation of any of the provisions hereby established.}~~
- (4) Unless another term period is established by statute, ordinance or resolution, a member of a board, **COMMISSION OR COMMITTEE** shall serve for a term of three years from the date of approval by the members of the Council. ~~{After the expiration of that term, the member shall continue to serve on the board, until a successor has been duly appointed by the Mayor and approved by the members of the Council. Notwithstanding the foregoing, the members of the Council may~~

~~vote not to approve a member for reappointment to the board, in which event that board, member shall not serve on the board beyond the date on which the current term of that member expires or the date the Council votes not to approve the member, whichever is later. }~~

C. Conduct.

(1) A member of a board, **COMMISSION OR COMMITTEE** who has failed to attend three consecutive meetings of the board, **COMMISSION OR COMMITTEE** without being excused from such attendance or who has failed to attend more than 75% of the meetings of the board, **COMMISSION OR COMMITTEE** held during any twelve-consecutive-month period may, after having been given due notice, be removed from membership on that board, **COMMISSION OR COMMITTEE**.

(2) Any member of a board, **COMMISSION OR COMMITTEE** who has been convicted of a criminal offense (including the granting of a probation before judgment), or who has been determined to have violated any law, statute, ordinance, regulation or Charter provision, or for other good cause as determined by the Town Council ~~{will}~~ **MAY** be removed from membership on that board, **COMMISSION OR COMMITTEE** by the affirmative vote of a majority of the members of the Council.

D. Number of members. Unless another membership number is established by statute, ordinance or resolution, each board, **COMMISSION AND COMMITTEE** shall consist of the number of members identified within its bylaws.

E. ~~{Other duties. Each board, shall perform such other duties or services as the Town Council may request from time to time. Each board, may, from time to time, submit to the Town Council such recommendations as are deemed by the board, to be appropriate in furtherance of the purposes of the board. }~~

§ 30-5. Organization.

The organizational structure of a board shall be in accordance with the following:

A. Officers.

- (1) ~~{Each board shall have a chairperson and vice chairperson and may have such other officers as the board may determine.}~~
- (2) ~~{Board officers}~~ **OFFICERS** shall be elected by the members of the board, **COMMISSION OR COMMITTEE** for a term of one year. ~~{No officer shall serve more than two consecutive terms as officer. The election of officers shall be conducted at the first regularly scheduled meeting of the board following January 1 of each calendar year.}~~

B. Meetings.

- (1) All meetings ~~{of a board}~~ shall comply with the open meeting requirements of the Maryland Open Meetings Act. Meetings of a board, **COMMISSION OR COMMITTEE** shall be held, to the greatest extent practicable, at the ~~{Town Municipal Center}~~ **MYERSVILLE TOWN HALL** or at such other public ~~{facility}~~ **FACILITIES** in the Town ~~{which is owned, operated or used by the Town}~~.
- (2) Notice of the time, date and place of each ~~{board}~~ meeting shall be given prior to that meeting in the same manner as that which is required for meetings of the ~~{Town}~~ **MAYOR AND** Council. ~~{A board, may also provide {such} additional notice as it deems to be reasonable.}~~
- (3) Each board, **COMMISSION AND COMMITTEE** shall prepare and maintain minutes of its meetings. All such minutes shall be filed with the Town Clerk.
- (4) Each board, **COMMISSION AND COMMITTEE** shall meet at least quarter-annually.

- (5) Except as otherwise provided by law, a majority of the members of each board, **COMMISSION OR COMMITTEE** shall constitute a quorum, and the act of a majority of the members at any meeting at which a quorum is present shall constitute the act of the board, **COMMISSION OR COMMITTEE**.

C. Rules and regulations. Each board, **COMMISSION AND COMMITTEE** may adopt bylaws, rules and regulations governing its procedures and regulating its business as may be deemed necessary. Any such bylaws, rules and regulations shall be adopted in accordance with the following:

(1) ~~{Notice of the proposed adoption of a bylaw, rule or regulation shall be given by posting a notice of the proposed bylaws, rule and regulation and of the date, time and place at which the board will be meeting to discuss its adoption. The notice shall be posted in a conspicuous place in the lobby of the Town Municipal Building.}~~

(2) The meeting at which the proposed bylaw, rule or regulation will be considered shall be open to the public, and any person may present either oral or written testimony in favor of or in opposition to the proposed bylaw, rule or regulation.

(3) ~~{A proposed bylaw, rule or regulation shall be deemed to have been adopted by the board upon the affirmative vote of a majority of the entire membership of the board.}~~

(4) All bylaws, rules and regulations adopted by a board, **COMMISSION OR COMMITTEE** shall be promptly filed with the Town Clerk and shall bear the signature of the presiding officer.

D. Nonpolitical status. The boards, **COMMISSIONS AND COMMITTEES** of the Town shall not be political in aim or function and shall not act as an agent of or for any individual or group.

E. ~~{Annual report. On or before March 1 of each year, each board shall submit an annual~~

~~written report to the Mayor and Council outlining and describing its activities over the preceding calendar year. The Mayor and Council may, in its discretion, provide for such other reporting procedure as they may deem advisable.}~~

**INTRODUCED** on the \_\_\_\_ day of \_\_\_\_\_, 2025.

**ENACTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2025 by a vote of \_\_\_\_ for, \_\_\_\_ against, \_\_\_\_ absent and \_\_\_\_ abstaining.

**ATTEST:**

**MAYOR AND COUNCIL OF THE  
TOWN OF MYERSVILLE**

\_\_\_\_\_  
Kathy Gaver, Town Clerk

By: \_\_\_\_\_(SEAL)  
Mark Hinkle, Mayor