

by Law. He shall discharge the duties of his office at the seat of Government, unless absent, under orders, on duty; and no other officer of the General Staff of the Militia shall receive salary or pay, except when on service, and mustered in with troops.

SEC. 3.<sup>169</sup> Vacant.

#### ARTICLE X.<sup>170</sup>

Vacant.

#### ARTICLE XI.<sup>171</sup>

##### CITY OF BALTIMORE.

**SECTION 1.** The Inhabitants of the City of Baltimore, qualified by Law to vote in said city for members of the House of Delegates, shall on the Tuesday after the first Monday of November, eighteen hundred and eighty-nine, and on the same day and month in every second year thereafter, elect a person to be Mayor of the City of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties, and have such powers as are now, or may hereafter be prescribed by Law; and the term of whose office shall commence on the third Wednesday in the November of the year of his election, and shall continue for two years, and until his successor shall have qualified.

**SEC. 2.** The City Council of Baltimore shall consist of two branches, one of which shall be called the First Branch, and the other the Second Branch, and each shall consist of such number of members, having such qualification, receiving such compensation, performing such duties, possessing such powers, holding such terms of office, and elected in such manner, as are now, or may hereafter be prescribed by Law.

**SEC. 3.** An election for members of the First Branch of the City Council of Baltimore shall be held in the City of Baltimore on the Tuesday after the first Monday of November, eighteen hundred and eighty-nine, and on the same day in every year thereafter; and for members of the Second Branch on the Tuesday after the first Monday of November, eighteen hundred and eighty-nine, and on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.

**SEC. 4** 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.

**SEC. 5.** 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.

**SEC. 6.** The Mayor shall, on 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 a case of vacancy.

**SEC. 7.**<sup>172</sup> 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 authorized by an ordinance of the Mayor and City Council of Baltimore, submitted to the legal voters of the City of Baltimore, at such time and place as may be fixed by the ordinance, and approved by a majority of the votes cast at that time and place. An ordinance for the authorization of debt or credit as aforesaid may not be submitted to the legal voters of Baltimore City unless the proposed creation of debt or extension of credit is either (1) presented to and approved by a majority of the members of the General Assembly representing Baltimore City no later than the 30th day of the regular session of the General Assembly immediately preceding its submission to the voters, or (2) authorized by an Act of the General Assembly. The ordinance shall provide for the discharge of any such debt or credit within the period of 40 years from the time of contracting the same. The Mayor and City Council may, temporarily, borrow any amount of money to meet any deficiency in the City Treasury, and may borrow any amount at any time to provide for any emergency arising from the necessity of maintaining the police, or preserving the health, safety and sanitary condition of the City, and may make due and proper arrangements and agreements for the renewal and extension, in whole or in part, of any and all debts and obligations created according to law before the adoption of this Constitution.

The General Assembly may, from time to time, fix a limit upon the aggregate amount of bonds and other evidences of indebtedness of the City outstanding at any one time to the same extent as it fixes such a limit upon the indebtedness of the chartered counties.

**SEC. 8.** All Laws and Ordinances, now in force, applicable to the City of Baltimore, not inconsistent with this Article, shall be, and they are hereby continued until changed in due course of Law.

**SEC. 9.** The General Assembly may make such changes in this Article, except in Section seventh thereof, as it may deem best; and this Article shall not be so construed, or taken as to make the political corporation of Baltimore independent of, or free from the control, which the General Assembly of Maryland has over all such Corporations in this State.

#### ARTICLE XI-A.<sup>173</sup>

##### LOCAL LEGISLATION.

**SECTION 1.**<sup>174</sup> On demand of the Mayor of Baltimore and City Council of the City of Baltimore, or on petition bearing the signatures of not less than 20% of the registered voters of said City or any County (Provided, however, that in any case 10,000 signatures shall be sufficient to complete a petition), the Board of Election Supervisors of said City or County shall provide at the next general or congressional election, occurring after such demand or the filing of such petition, for the election of a charter board of eleven registered voters of said City or five registered voters in any such Counties. Nominations for members for said

<sup>169</sup> Repealed by Chapter 99, Acts of 1956, ratified Nov. 6, 1956.

<sup>170</sup> Repealed by Chapter 99, Acts of 1956, ratified Nov. 6, 1956.

<sup>171</sup> Amended by Chapter 397, Acts of 1888. See Section 9, Article XI, and the Charter of Baltimore City (1964 Edition), for changes in this Article made under the authority of Article 11A of the Constitution.

<sup>172</sup> Amended by Chapter 456, Acts of 1933, ratified Nov. 6, 1934; Chapter 739, Acts of 1982, ratified Nov. 2, 1982.

<sup>173</sup> Added by Chapter 416, Acts of 1914, ratified Nov. 2, 1915.

<sup>174</sup> Amended by Chapter 192, Acts of 1963, ratified Nov. 3, 1964.