

CODE OF ORDINANCES FOR THE VILLAGE OF NORTH CHEVY CHASE

CHAPTER 2. GOVERNMENT ADMINISTRATION

Article 1. General Provisions

Section 2-101. Purpose

Section 2-102. Definitions

Article 2. Village Council

Section 2-201. Composition

Section 2-202. Election

Section 2-203. Absentee Ballots

Article 3. Village Employees

Section 2-301. Village Council Authority Over Village Employees

Section 2-302. Village Manager

Section 2-303. Creation or Termination of Other Positions

Article 4. Public Official Liability

Section 2-401. Immunity from Civil Liability Generally

Section 2-402. Liability for Negligence in Operation of Vehicle

Section 2-403. Defense for Officials

Section 2-404. Expenditure of Revenues

Article 5. Open Meetings

Section 2-501. General Provisions

CHAPTER 2 GOVERNMENT ADMINISTRATION

Article 1. General Provisions

Section 1-101. Purpose

Section 1-102. Definitions

Section 1-101. Purpose.

The purpose of this Chapter is to establish the terms applicable to the governance of the Village consistent with the terms of the Village Charter.

Section 1-102. Definitions.

- A. "Public Official" means a member of the Village Council or Village employee.
- B. "Qualified Voter" shall mean any resident of the Village of North Chevy Chase, Montgomery County, Maryland who has registered with Montgomery County Board of Supervisors of elections to vote shall be deemed eligible to vote in elections of the Village of North Chevy Chase.

Article 2. Village Council

Section 2-201. Composition

Section 2-202. Election

Section 2-203. Absentee Ballots

Section 2-201. Composition

The Village shall be governed by the Village Council, consisting of five Qualified Voters, each of whom shall be elected for two-year staggered terms. The Village Council shall elect from its members a Chair, one or more Vice Chairs, a Treasurer and a Secretary, having duties and responsibilities as set forth in Section 5.03 of the Village Charter.

Section 2-202. Election

The Village Council shall be elected in accordance with the procedures specified in Article 9 of the Village Charter.

Section 2-203. Absentee Ballots

Absentee ballots shall be made available, upon request, to any Qualified Voter

requesting an absentee ballot. The request should be submitted verbally or in writing by a Qualified Voter to the individual designated as the Chair of the Nominating Committee, as established pursuant to Section 9.03 of the Village Charter, not less than one week before the scheduled election. The ballot shall be executed and returned to the Chair of the Nominating Committee sealed, and signed on the exterior where indicated in the envelope provided by the Chair at the time of request. Any such ballot shall be returned to the Chair of the Nominating Committee by no later than 2:00 pm on the date of the election.

Article 3. Village Employees

Section 2-301. Village Council Authority Over Village Employees

The Village Council may from time to time adopt such rules and procedures as it deems necessary for the employment of Village employees.

Section 2-302. Village Manager

The Village Council may employ a Village Manager who shall be assigned such duties as deemed appropriate by the Village Council.

Section 2-303. Creation or Termination of Other Positions

The Village Council may add or abolish other positions as may be consistent with the Village budget and as may be necessary to carry forth the intent and purpose of these Ordinances.

Article 4. Public Official Liability

Section 2-401 Immunity from Civil Liability Generally

Section 2-402 Liability for Negligence in Operation of Vehicle

Section 2-403 Defense for Officials

Section 2-404 Expenditure of Revenues

Section 2-401. Immunity from Civil Liability Generally

Public officials, while acting in a discretionary capacity, without malice, and within the scope of their authority are immune as officials or individuals from civil liability for any act or omission.

Section 2-402. Liability for Negligence in Operation of Vehicle

A public official is not immune from liability for negligence or any other tort arising from the operation of a vehicle except as to any claim for damages in excess of the limits of any applicable policy of vehicle liability insurance.

Section 2-403. Defense for Officials

- A. The Village of North Chevy Chase shall provide a defense for an official for any act or omission undertaken without malice and arising within the scope of the official's authority.
- B. The Village of North Chevy Chase shall provide a defense for its officials for negligence or any other tort arising from the operation of a vehicle on Village business only as to any claim for damages in excess of the limits of any applicable policy of vehicle liability insurance.

Section 2-404. Expenditure of Revenues

The Village of North Chevy Chase may expend revenue for the purposes set forth in this Article.

Article 5. Open Meetings

Section 2-501. General Provisions

- A. All meetings of the Village Council shall be open to the public.
- B. Residents of the Village shall have a reasonable opportunity to be heard at any meeting, subject to the ability of the Council Chair to maintain proper order and decorum at such meetings. Nothing contained herein shall be construed to prevent the Village Council from holding closed sessions, as provided by State Law, but no ordinance, resolution, rule or regulation shall be finally adopted at any such closed session.
- C. A representative of the news media may broadcast or televise the proceedings of the Council at an open session if the equipment used:
 - a. Is operated from a fixed position that does not block the view of any other person;
 - b. Is operated without any form of artificial light; and
 - c. Does not create a noise that disturbs members of the Council or other persons attending the session.
- D. Except with unanimous consent of all members of the Council, no microphone may be placed on tables used by members of the Council or its staff.
- E. A person may neither move about the room when using a recording device,

camera, or broadcasting or television equipment, nor move any such device, camera or equipment from its initial location during the course of an open session, except during a recess.

- F. A representative of the news media who desires arrangements for the use of such device, camera or equipment in a manner consistent with the provisions of this section may request such arrangements in advance by contacting the Village Manager.
- G. A recording of an open session made by a member of the general public, or any transcript derived from such a recording, shall not be deemed a part of the record of any proceeding of the Council.