

[Removal from office procedure]

YY-1. Pursuant to authority currently codified as section 10-303(c)(3), part of the Express Powers Act, of the Local Government Article, the Council may remove someone from his or her office for violation of a local law of the County or regulation adopted thereunder, provided that:

- A. The law or regulation expressly provides that violation thereof is grounds for such removal.
- B. The Council has by majority vote of the entire Council decided that such grounds exist and provided written notice to the person that identifies the law or regulation and describes his or her conduct in violation thereof, together with notice of the date, time and place when the Council will consider any documentary evidence or written statements that the person desires to submit and, if requested by the person, decide whether to hold a hearing to receive oral testimony.
- C. At its meeting for the purpose described in the preceding subpart and any hearing it may hold to receive oral testimony, the person may be represented by legal counsel, who may address the Council, question any witnesses in reasonable detail and present argument and written briefs or memoranda.
- D. After the meeting and a subsequent hearing, if any, it may decide to hold, the Council may remove the person by majority vote of the entire Council and shall present a written explanation of the basis for its decision if it decides to do so. At any time, the Council may decide by majority vote of the entire Council not to remove the person from his or her office.
- E. A decision to remove a person from office shall be final and not subject to challenge or appeal except as may be required by law.
- F. If, after being removed from office, the person continues to act or purports to act in that office, he or she shall be guilty of a misdemeanor and subject to a fine not to exceed \$2500 and incarceration not to exceed sixty (60) days.