

UNIVERSITY PARK ETHICS COMMISSION

Constance L. Belfiore, Esq., Chair Melanie Aclander, Esq. David Crocker, Ph.D.

UP Town Hall, 6724 Baltimore Avenue
Conference Room

MINUTES of February 2, 2019 Meeting

I. Call to Order

The Meeting was called to order at 9:05 a.m. In attendance were the three Commission Members, Town Attorney, and an elected official.

II. Minutes from Last Meeting

The Commission Members agreed to review the Minutes of the last meeting via email as soon as they are available.

III. Inquiry

The Commission considered the following inquiry received from an elected official:

“There is a question about whether, as an active Airbnb host, I need to recuse myself from council discussion and/or voting on council actions related to Airbnb or other short-term rentals. Would the same response hold on council actions related to long-term rentals?”

This is an original inquiry. There is no existing Council action governing this inquiry.

The Committee initially discussed the Town Code governing conflicts of interest pertaining to elected officials, Chapter 12, Section 12-103, as well as the Town’s rules that require yearly registration and inspection of long and short-term rentals to more than one person. The Town Code does not distinguish between long- and short-term (including Airbnb) rentals.

The Committee also discussed the difference between legislative action based on general impact and legislative action impacting primarily individual situations. For example, an action that applies in the same manner to all landlords is significantly different from an action that applies to one individual landlord who also is an elected official.

An example given was the long-ago issue of the closing of Queens Chapel Road at the south end, with egress only at the north end, to reduce cut-through traffic. One Council Member lived on the Road at that time, and he was permitted to vote on the issue. Another example considered was the need for every Council Member to vote on town taxes, although each is impacted individually by that vote.

The Committee further discussed how an elected official can or cannot represent their constituency and themselves at the same time; and how it is the responsibility of the individual elected official to recuse themselves if their interest violates the conflict of interest provisions in Chapter 12.

The Councilmember was thanked for the inquiry and input, and the Commission entered Executive Session with the Town Attorney.

Ultimately, the Commission agreed that the Councilmember should be allowed to vote generally on property rentals, with some conditions. The decision was referred to the Town Attorney for drafting.

IV. Other Business and Adjourn

There being no other business, the Committee adjourned at about 9:50 am.

Respectfully submitted,

Constance L. Belfiore, Chair, UP Ethics Commission