

**Ordinance No. 230**  
**Introduced: February 2, 2026**  
**Public Hearing: February 17, 2026**  
**Adopted:**  
**Effective:**

**AN ORDINANCE TO AMEND THE POOLESVILLE CODE, CHAPTER 2.5, TO ESTABLISH STANDARDS FOR OFFICIAL CONDUCT REGARDING VULGARITY, PUBLIC COMMUNICATION, AND IMPARTIALITY.**

**WHEREAS**, Section 82–13 (Quorum and Enactment of Ordinances) of the Town Charter states that the Commissioners shall enact ordinances only after public hearing upon reasonable notice, and no ordinance shall be enacted by the Commissioners unless it receives the affirmative vote of three of the Commissioners, and ordinances shall be permanently filed by the Town Clerk and shall be kept available for public inspection.

**WHEREAS**, the Town Charter authorizes in certain cases the removal of appointed officials for misconduct in office; and

**WHEREAS**, the Town of Poolesville depends on its officials to follow the law and make the right decisions; and

**WHEREAS**, the reputation of the Town for integrity and impartiality flows from a commitment to shared values; and

**WHEREAS**, the Commissioners desire to ensure that all public servants treat the public with dignity and respect.

**NOW, THEREFORE, BE IT ORDAINED**, by the Commissioners of Poolesville, that Chapter 2.5 of the Poolesville Code is hereby amended by adding Section 2.5-1 as follows:

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**Chapter 2.5 [~~RESERVED~~]\* PUBLIC OFFICIAL STANDARDS**

**SECTION 2.5-1. STANDARDS OF PUBLIC CONDUCT AND COMMUNICATION.**

**A. APPLICABILITY.** THE PROVISIONS OF THIS SECTION APPLY TO ALL LOCAL ELECTED OFFICIALS AND ALL APPOINTEES TO BOARDS, COMMISSIONS, AND COMMITTEES OF THE TOWN.

**B. PROHIBITION OF FOUL AND ABUSIVE LANGUAGE.** NO OFFICIAL SHALL UTILIZE FOUL AND ABUSIVE LANGUAGE, INCLUDING BUT NOT LIMITED TO VULGARITIES, OBSCENITIES, OR GENDER-BASED SLURS, IN ANY PUBLIC FORUM OR ON ANY SOCIAL

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CAPITALS : Indicate matter added to existing law  
[Brackets] : Indicate matter deleted from existing law  
Asterisks \* \* \* : Indicate that text is retained from existing law but omitted herein.

MEDIA PLATFORM WHERE THE OFFICIAL IS IDENTIFIABLE AS A REPRESENTATIVE OF THE TOWN. FOR THE PURPOSES OF THIS SECTION, AN OFFICIAL IS DEEMED "IDENTIFIABLE" IF:

1. THE OFFICIAL'S TOWN TITLE IS EXPLICITLY USED IN THE POST OR ACCOUNT BIO; OR
2. THE OFFICIAL USES TOWN-OWNED EQUIPMENT OR NETWORK RESOURCES TO TRANSMIT THE COMMUNICATION; OR
3. THE OFFICIAL IS WIDELY RECOGNIZED BY THE COMMUNITY AS A TOWN REPRESENTATIVE SUCH THAT THE CONDUCT IS DETRIMENTAL TO THE IMAGE OF THE TOWN.

**C. MAINTENANCE OF IMPARTIALITY.** PUBLIC OFFICIALS SHALL REFRAIN FROM PUBLIC STATEMENTS OR SOCIAL MEDIA POSTINGS THAT DEMONSTRATE A LACK OF IMPARTIALITY OR INDEPENDENCE OF JUDGMENT REGARDING THEIR OFFICIAL DUTIES. HIGHLY INFLAMMATORY DENIGRATION OF FEDERAL, STATE, OR COUNTY OFFICIALS THAT IMPAIRS THE OFFICIAL'S ABILITY TO PERFORM TOWN DUTIES OBJECTIVELY SHALL CONSTITUTE A VIOLATION OF THIS STANDARD.

**D. DISCLAIMER REQUIREMENT.** WHEN POSTING PERSONAL VIEWS ON MATTERS OF PUBLIC CONCERN THAT RELATE TO GOVERNMENTAL OPERATIONS, OFFICIALS ARE ENCOURAGED TO PROVIDE A CLEAR DISCLAIMER STATING THAT THE VIEWS EXPRESSED ARE THEIR OWN AND NOT REPRESENTATIVE OF THE TOWN OF POOLESVILLE. FAILURE TO PROVIDE A DISCLAIMER WHEN USING A TOWN TITLE SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE OFFICIAL IS ACTING IN AN OFFICIAL CAPACITY.

**E. ENFORCEMENT AND PENALTIES.**

1. **MISCONDUCT IN OFFICE:** A VIOLATION OF THIS SECTION SHALL BE ADJUDGED AS "MISCONDUCT IN OFFICE" OR "MALFEASANCE" UNDER THE PROVISIONS OF THE TOWN CHARTER.
2. **ACTION BY ETHICS COMMISSION:** ANY PERSON MAY FILE A COMPLAINT WITH THE ETHICS COMMISSION ALLEGING A VIOLATION OF THIS SECTION. THE COMMISSION MAY ISSUE A REPRIMAND OR RECOMMEND REMOVAL TO THE TOWN COMMISSIONERS.
3. **REMOVAL:** UPON A FINDING OF MISCONDUCT AFTER DUE NOTICE AND HEARING, AN OFFICIAL MAY BE REMOVED BY THE COMMISSIONERS.

**F. PROCEDURES FOR REMOVAL BY THE BOARD OF COMMISSIONERS.** IN INSTANCES WHERE THE BOARD OF COMMISSIONERS ELECTS TO EXERCISE ITS DIRECT AUTHORITY UNDER THE TOWN CHARTER TO ADJUDICATE MISCONDUCT, THE FOLLOWING PROCEDURES SHALL APPLY:

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1. **NOTICE OF CHARGES:** THE TOWN MANAGER OR THE PRESIDENT OF THE COMMISSIONERS SHALL PROVIDE THE APPOINTED OFFICIAL WITH A WRITTEN "STATEMENT OF CHARGES" DETAILING THE SPECIFIC VULGARITIES OR ACTS OF PARTIALITY ALLEGED, AT LEAST FIFTEEN (15) DAYS PRIOR TO ANY SCHEDULED ACTION.
2. **RIGHT TO A PUBLIC HEARING:** NO APPOINTED OFFICIAL MAY BE REMOVED FOR MISCONDUCT WITHOUT THE OPPORTUNITY FOR A PUBLIC HEARING.
3. **CONDUCT OF HEARING:** THE HEARING SHALL BE HELD BEFORE THE BOARD OF COMMISSIONERS. THE OFFICIAL SHALL HAVE THE RIGHT TO BE REPRESENTED BY LEGAL COUNSEL, TO TESTIFY, AND TO PRESENT WITNESSES OR EVIDENCE IN THEIR DEFENSE.
4. **ADJUDICATION:** FOLLOWING THE HEARING, A MEMBER MAY BE REMOVED FROM OFFICE BY AN AFFIRMATIVE VOTE OF AT LEAST THREE (3) MEMBERS OF THE BOARD OF COMMISSIONERS UPON A FINDING OF MISCONDUCT IN OFFICE, MALFEASANCE, OR CONDUCT INJURIOUS TO THE REPUTATION OF THE TOWN.
5. **FINAL DECISION:** THE DECISION OF THE BOARD SHALL BE IN WRITING AND SHALL BE CONSIDERED A FINAL ADMINISTRATIVE ACTION SUBJECT TO APPEAL IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY.

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**AND BE IT FURTHER ORDAINED** that the provisions of this Ordinance are severable, and if any provision, clause, sentence, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words, or parts of the Ordinance or their application to the other persons or circumstances; and it is hereby declared to be the legislative intent that this Ordinance would have been adopted as if such illegal, invalid unconstitutional provision, clause, sentence, section, word or part had not been included therein, and as if the person or circumstance to which the ordinance or part thereof is inapplicable had been specifically exempted therefrom.

APPROVED THIS \_\_ DAY OF \_\_\_\_\_, 2026

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 James E. Brown, President  
 Commissioners of Poolesville

A TRUE COPY ATTEST:

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 Maggie Leibrand, Town Clerk

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