

ARTICLE 8

Transitional Provisions

801. Nature of This Article

The provisions of this Article relate to the transition from the Code Home Rule form of government to the form of government provided by this Charter. Whenever the provisions of this Article are inconsistent with the previous provisions of this Charter, the provisions of this Article shall control.

802. Time Certain Articles Become Effective

Except as expressly provided in this Article, the provisions of this Charter shall become operative at noon on the date the first County Executive and County Council, elected pursuant to this Charter, take office, the first Tuesday of December, 2026.

803. First Election

- (a) In order to provide for the election of the first Executive in November 2026, Section 504 {Election}, Section 505 {Term of Office}, and Section 506 {Qualifications} shall take effect on January 1, 2025.
- (b) In order to provide for the election of the first members of the Council in November 2026, Section 204 {Election}, Section 205 {Qualifications}, and Section 206 {Term of Office} shall take effect on January 1, 2025.

804. Existing Laws

- (a) The public local laws of the County and all rules, regulations, resolutions, and ordinances enacted by the County Commissioners in force on the Effective Date of the Charter shall continue in full force until repealed or amended. To the extent that any of the public local laws of the County or rules, regulations, resolutions, or ordinances, or any parts thereof, are inconsistent with the provisions of this Charter, they are repealed.
- (b) The provisions of the Land Use Article of the Annotated Code of Maryland, as they relate to planning and zoning authority, stand adopted on the effective date of the Charter to the extent they are not repealed by the provisions of this Charter and shall remain in effect until repealed, amended, or superseded.

805. Reference in State Constitution and Laws to County Commissioners

All references in the Constitution and laws of the State of Maryland to the Charles County Commissioners or to the Board of County Commissioners shall be construed, at the Effective Date of the Charter, to refer to the Council and/or the County Executive whenever the construction would be reasonable.

806. Existing Officers and Employees

All employees of the Government employed at the Effective Date of the Charter shall continue to be employed at their existing compensation, subject, however, to the provisions of any relevant personnel policies, laws, rules, or regulations. Provisions relating to the qualifications for the appointed offices provided in this Charter shall become effective whenever vacancies occur in the appointed offices after the Effective Date of the Charter.

807. Existing Members of Boards and Commissions

The members of all boards and commissions appointed on the Effective Date of the Charter shall continue to hold the same office until completion of their term, unless removed in accordance with the provisions of this Charter or other applicable authority.

808. Elected Office of County Commissioner Abolished

At the Effective Date of the Charter, the elected position of County Commissioner shall cease to exist and all reference to that official or position and the Board of County Commissioners in the Maryland Constitution or in any law, ordinance, rule, or regulation shall be construed to refer to the Office of Council Member or the Council and/or the Office of the County Executive or the County Executive whenever the construction would be reasonable.

809. Publication of Council Rules

Pursuant to Sections 203 and 404 of this Charter, the Council shall adopt and publish its rules of legislative procedure on the County website within ninety (90) calendar days of the Charter's Effective Date.

810. Transition Commission for the Department of Planning and Growth Management

- (a) In advance of the Charter going into effect pursuant to Section 802, by July 31, 2025, the Charles County Board of Commissioners shall appoint a Transition Commission for the purposes of evaluating the structure, performance, and effectiveness of the current Department of Planning and Growth Management (referenced in this Section as the "department") and providing recommendations to the elected Charles County Executive and Council.
- (b) The Transition Commission consists of nine (9) members who shall include:
 - (1) one member of a Charles County-based business, commerce, or trade membership organization;
 - (2) one member of the Charles County Farm Bureau;
 - (3) a representative of homeowner associations, civic associations, or other organization that serves the interest of a number and variety of homeowner groups;
 - (4) a representative from a Charles County or Southern Maryland-based conservation organization; and
 - (5) a resident from each of the four Council districts; and
 - (6) the Director of the Charles County Department of Planning and Growth Management or their designee.

- (c) Once appointed, the Transition Commission’s duties include:
- (1) Participating in the selection of an independent consultant to review the department;
 - (2) Holding a minimum of four district-based public meetings that solicit community feedback and dialogue on the organization, operations, and performance of the department;
 - (3) Receiving, publishing, reviewing, and soliciting public feedback on the independent consultant’s findings, which may include additional public meetings;
 - (4) Producing a formal public response to the consultant recommendations and additional recommendations, if appropriate; and
 - (5) Presenting the package of recommendations to the Charles County Council.
- (d) Once the Transition Commission is appointed and formed, Charles County Government shall solicit an independent consultant with expertise in planning, zoning, and permitting issues to review the Department of Planning and Growth Management and provide any recommendations that improve the organization, mission-based outcomes, and engagement with the constituency of Charles County.
- Charles County Government shall create a Request for Proposals (“RFP”) of an appropriate budgetary amount to secure qualified proposals for the independent review. The Scope of Work for the RFP may include but need not be limited to comprehensive restructuring and changes to internal administrative processes and reporting. A subcommittee of the Transition Commission will participate in and provide recommendations for the selection of the qualified bidder as a part of the County's internal selection process. The Transition subcommittee shall include the Committee's representatives from the business or commerce organization, the Charles County Farm Bureau, the residential organization, the conservation organization, and the Department of Planning and Growth Management.
- (e) The Transition Commission must complete the comprehensive report of the combined consultant and Commission recommendations by November 30, 2026. Once completed and made publicly available, the newly elected County Council shall hold a public meeting to receive, review, and discuss the recommendations with representatives of the Commission and the current acting or appointed department head or designee within sixty (60) calendar days after taking office pursuant to Section 802.