

**MAYOR AND TOWN COUNCIL
TOWN OF FOREST HEIGHTS**

**CHARTER AMENDMENT RESOLUTION NUMBER 13 – PROPOSING TO AMEND
THE FOREST HEIGHTS TOWN CHARTER SECTION 33-93. CODE OF CONDUCT.**

INTRODUCED BY: Councilman Myles Spires

ENACTED:

WHEREAS, the continued legislative and administrative support of all departments within the Town of Forest Heights government is essential for continued maximum public safety and town development; and

WHEREAS, there have been clear concerns raised by residents, members of the Town Council concerning police powers and authority of the Forest Heights Police Department and administrative authority and effectiveness of the Town Treasurer and Town Clerk and the stability of their tenures; and

WHEREAS, the Section 33-90 of the Charter of the Town of Forest Heights and Article 23A § 12 and 13 empower and regulate the Town Council in enacting charter amendments and the Mayor in posting and publication of proposed charter amendments;

NOW THEREFORE BE IT RESOLVED that the Town Council of Forest Heights proposes to amend the Charter of the Town of Forest Heights by adding Section 33-93. Code of Conduct. The amendment of the Charter of the Town of Forest Heights shall be enacted by adding the following language: "Section 33-93. Code of Conduct. Public officials, appointed or elected, are expected to display a high level of professionalism and integrity in their service to the Town of Forest Heights. Accordingly, any public official in the Town of Forest Heights, appointed or elected, shall be subject to the following provisions: (a) Charter Violations. Any violations of the Charter of the Town of Forest Heights, as determined by a 2/3 majority Council vote, shall be grounds for immediate suspension from office for a period of not more than 180 days. Suspension from office shall only be effected with a 2/3 majority Council vote. In the case of the Mayor being suspended, the Council shall carry out the duties of the Mayor until said suspension expires. (b) Pending Criminal Charges. Any Town Official facing pending criminal charges may be subject to suspension of duties pending the outcome of the criminal charges against him. Suspension from office shall only be effected with a 2/3 majority Council vote. In the case of the Mayor being suspended, the Council shall carry out the duties of the Mayor until said suspension expires. The terms of suspension shall be clearly delineated by resolution. (c) Conviction of a Crime. Any Town Official convicted of a crime may be subject to expulsion from office. Expulsion from office shall only be effected with a 2/3 majority Council vote. The terms of the expulsion shall be clearly delineated by resolution. Any public office made vacant through expulsion shall be filled in accordance with the applicable provisions of this Charter.

BE IT FURTHER RESOLVED that the Mayor shall give notice of this resolution for a proposed Charter Amendment by posting an exact copy thereof at the town hall for a period of at least forty days following its adoption and shall cause a fair summary of this proposed Charter Amendment to be published in a newspaper of general circulation in the Town of Forest Heights not less than four times, at weekly intervals within a period of at least forty days starting not later than three days immediately following the date of the adoption of this resolution containing the proposed charter amendment.


BE IT FURTHER RESOLVED that non-compliance with this resolution shall be deemed a misdemeanor and subject to 30 days in prison and a fine not to exceed \$1000.00; and

BE IT FURTHER RESOLVED that any incident of non-compliance with this resolution, as determined by a majority vote of the town council, shall be prosecuted and/or referred to the State's Attorney for prosecution by the Town Attorney; and

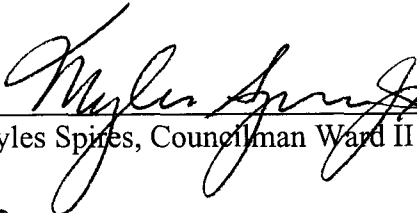
AND BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage and the Charter Amendment hereby proposed shall take effect January 6, 2006.

PASSED THIS DAY OF November 16, 2005.

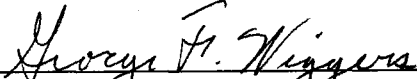
Joyce A. Beck, Mayor



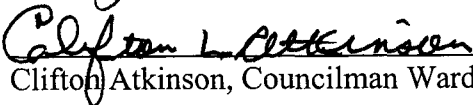
Larry Stoner, Council President &
Councilman Ward III



Myles Spikes, Councilman Ward II

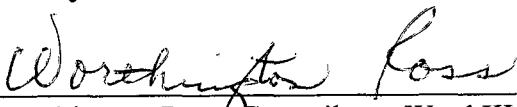


George E. Wiggers, Councilman Ward I



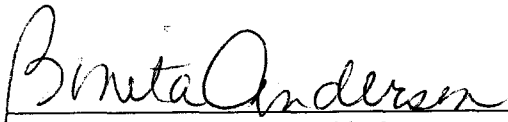
Clifton Atkinson, Councilman Ward II

Alice Hoskins, Councilwoman Ward I



Worthington Ross, Councilman Ward III

Attest:



Bonita Anderson, Town Clerk