

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

**CHARTER AMENDMENT RESOLUTION NUMBER 26 –
PROPOSING TO AMEND THE FOREST HEIGHTS TOWN CHARTER
SECTION 33-31. NOMINATIONS**

INTRODUCED BY: Councilman George Wiggers

ENACTED: March 9, 2007

WHEREAS, Charter amendment Resolutions 17 and 18 changed the month of Forest Heights general elections from the month of May to the month of March; and

WHEREAS, Section 33-31 of the Town Charter currently requires persons seeking elected office to file their nominations in the month of April as when the elections were held in May; and

WHEREAS, Maryland Code Article 23A § 12 and 13 governing municipalities 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 Section 33–31 Nominations. The amendment of the Charter of the Town of Forest Heights shall be enacted by striking the first sentence of Section 33–31 the current language [**boldface in brackets**] which reads:

[Persons may be nominated for elective office in the Town by filing a certificate of nomination with the Town Clerk on or before the first Wednesday in April preceding the Town election. Such certificate shall state (1) the office for which the person is seeking, (2) the name and signature of the candidate, (3) the ward in which the person resides, (4) a statement that he meets the qualifications for the office as contained in this charter. No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. The Town Board of Elections shall review each certificate of nomination and shall certify that the candidate meets the qualifications contained in this Charter. Any certificate of a candidate, that in the Board's judgment does not meet the stated qualifications, shall be returned to the candidate with the reasons for the return stated thereon.] Ch. Res. No. 1, August 21, 1963, sec. 31; Res. No. 1, May 19, 1989.)

and replacing said language with the following underscored language:

“Persons may be nominated for elective office in the Town by filing a certificate of nomination, together with a statement of the particular office to which he aspires, with the Town Clerk on or before the first Wednesday in February preceding the Town election. Such certificate shall state (1) the office for which the person is seeking, (2) the name and signature of the candidate, (3) the ward in which the person resides, (4) a statement that he meets the qualifications for the office as contained in this charter. No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. The Town Board of Elections shall review each certificate of nomination and shall certify that the candidate meets the qualifications contained in this Charter. Any certificate of a candidate, that in the Board's judgment does not meet the stated qualifications, shall be returned to the candidate with the reasons for the return stated thereon.

In the case of special elections and other elections not held on the second Wednesday of March, the Town Board of Elections may require the filing of a certificate of nomination and statement prior to the election provided that the requirement of the need to file such information with the Town Clerk is announced at least five business days prior to the cutoff for filing and such filing must be scheduled at least five business days prior to the election in question. Certificates of nomination are not required in the case of a run-off election held as a result of a tie in an election.”

BE IT FURTHER RESOLVED that the Acting 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 failure to comply with this resolution shall be deemed a misdemeanor and subject to 30 days in prison and a fine not to exceed \$1,000.00; 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 April 28, 2007.

PASSED THIS DAY OF March 9, 2007.

Larry Stoner, Acting Mayor & Councilman
Ward III

Andrea McCutcheon, Acting Council
President & Councilwoman Ward II

Clifton Atkinson, Councilman Ward II

Worthington Ross, Councilman Ward III

Carmelita Lynn Smith-Barnes,
Councilwoman Ward I

George F. Wiggers, Councilman Ward I

Attest:

Bonita Anderson, Town Clerk