

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

**CHARTER AMENDMENT RESOLUTION NUMBER 28 –
PROPOSING TO AMEND THE FOREST HEIGHTS TOWN CHARTER
SECTION 33-19. VACANCY**

INTRODUCED BY: Councilman George Wiggers

ENACTED: March 9, 2007

WHEREAS, the Town Charter should be internally consistent and it has been discovered that Section 33-19 regarding procedures for filling a vacancy in the office of Mayor refers to Section 33-17 Salary rather than Section 33-16 Qualification in reference to the qualifications of a person to be appointed as Mayor to fill a vacancy; 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 33-19 Vacancy. The amendment of the Charter of the Town of Forest Heights shall be enacted by striking the current language **[boldface in brackets]** which reads:

[In case of a vacancy in the office of Mayor, the Council shall elect some person qualified in accordance with Section 33–17 to fill such vacancy for the remainder of the unexpired term. The results of any such vote shall be recorded in the minutes of the Council.] (Ch. Res. No. 1, August 21, 1963, sec. 19; Res. No. 6, October 7, 1982.)

and replacing said language with the following underscored language:

“In case of a vacancy in the office of Mayor, the Council shall elect some person qualified in accordance with Section 33–16 to fill such vacancy for the remainder of the unexpired term. The results of any such vote shall be recorded in the minutes of the Council.”

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