



# Town of Berwyn Heights

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**MAYOR**  
Stephen D. Isler  
**COUNCIL MEMBERS**  
Jason W. Papanikolas (Mayor Pro Tem)  
Amanda M. Dewey  
Ethan D. Sweep  
VACANT

## Charter Resolution 13-2018

### **CHARTER RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERWYN HEIGHTS, AMENDING CHAPTER III, "THE COUNCIL", SECTION 306.2, "MAYOR PRO TEMPORE" OF THE BERWYN HEIGHTS CHARTER, TO CLARIFY WHEN THE MAYOR PRO TEMPORE SHALL ASSUME ALL OR A PART OF MAYORAL DUTIES**

A Charter Resolution of the Mayor and Council of the Town of Berwyn Heights, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

**WHEREAS**, the Council has determined that it is in the public interest to clarify when the Mayor is absent and the Mayor Pro Tempore should assume all or a part of Mayoral duties.

**Section 1.** **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Berwyn Heights that Chapter III, "The Council", Section 306.2, "Mayor Pro Tempore" be repealed, re-enacted and amended to read as follows:

#### **Section 306.2. Mayor Pro Tempore**

The Mayor Pro Tempore shall assume all OR A PART OF Mayoral duties and responsibilities, AS AUTHORIZED HEREIN, during the absence of the Mayor. THE MAYOR IS ABSENT WHEN:

- A. THE MAYOR NOTIFIES THE COUNCIL THAT HE OR SHE WILL BE ABSENT OR IS UNABLE TO PERFORM ALL OR A PART OF THE DUTIES OF OFFICE; OR
- B. THE MAYOR IS UNWILLING TO SIGN LEGISLATION DULY ADOPTED BY THE COUNCIL OR THOSE DOCUMENTS NECESSARY TO GIVE EFFECT TO SAID LEGISLATION; OR
- C. A SUPER MAJORITY OF THE COUNCIL DETERMINES BY A PUBLIC VOTE THAT THE MAYOR HAS FAILED TO PERFORM ALL OR A PART OF THE DUTIES OF OFFICE.

In the event the Office of Mayor shall become vacant, the Mayor Pro Tempore shall become Mayor.

**Section 2.** **BE IT FURTHER RESOLVED** that this Charter Amendment Resolution is adopted this 9<sup>th</sup> day of January, 2019 and that the amendments to the Charter of the Town of Berwyn Heights, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the Town Council unless a petition for referendum in accordance with the Local Government Article of the Annotated Code of Maryland is received by the Town on or before the fortieth (40<sup>th</sup>) day after initial passage of the Charter Amendment Resolution. A fair summary of this Resolution shall be posted in the Town Hall for forty (40) days following its adoption and shall be published in a newspaper having general circulation in the Town no fewer than four (4) times at weekly intervals within the forty (40) days following its passage

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Resolution.

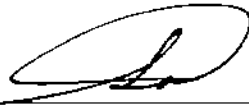
by the Town.

**Section 3.** BE IT FURTHER RESOLVED that upon this Resolution becoming effective, either as herein provided or following a referendum the Town Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the Town of Berwyn Heights or in a referendum; and (iv) the effective date of the Charter Amendment. The Town Manager shall also send a copy of the Charter Amendment Resolution to the Clerk of the Circuit Court for Prince George's County.

**INTRODUCED** by the Mayor and Town Council of the Town of Berwyn Heights at a Town Meeting on November 14, 2018, at which meeting copies were available to the public for inspection.

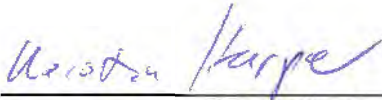
**ADOPTED** by a majority of the Mayor and Town Council of the Town of Berwyn Heights at a Town Meeting on January 9, 2019, at which meeting copies were available to the public for inspection.

By the Order of the Mayor and Town Council



Stephen D. Isler, Mayor of Berwyn Heights

ATTEST:



Kerstin Harper, Town Clerk

