

CHARTER RESOLUTION
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE
PARK, AMENDING ARTICLE III, "MAYOR AND COUNCIL,"
§ C3-6, "VACANCIES", TO ADD TO THE DEFINITION OF
VACANCY

A Charter Resolution of the Mayor and Council of the City of College Park, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-30 I *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, the Mayor and Council desire to expand to the definition of vacancy as it relates to the Mayor; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to amend Article III, " Mayor and Council", §C3-6, "Vacancies", to expand the definition of vacancy of Mayor to include the term "absence".

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that Article III, "Mayor and Council," §C3-6(B)(2), "Vacancies" be repealed, re-enacted, and amended to read as follows:

§ C3-6 Vacancies.

A vacancy shall exist if the Mayor or any Council member shall be absent from Council meetings during a consecutive sixty-day period without just cause being shown. The Council shall make the determination in such cases. The Mayor shall, as soon after taking office as may be practicable, appoint from among the membership of the Council a Mayor Pro Tem, subject to the approval of the Council. The Mayor Pro Tem shall preside in the Mayor's absence. In the event of the ABSENCE OR incapacity of the Mayor, the Mayor

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.
 CAPS :Indicate matter added in amendment
 [Brackets] :Indicate matter deleted in amendment

Pro Tem shall serve until the next general election or special election and receive the same compensation as that received by the Mayor.

Section 2. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that this Charter Resolution was introduced on the 13th day of February, 2024.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Charter Resolution, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed Charter Resolution or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for 7:30 P.M. on the 5th day of March, 2024, shall follow the publication by at least twenty-one (21) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

After the hearing, the Council may adopt the proposed Charter Resolution with or without amendments or reject it. It is adopted this 5th day of March 2024, and that the amendment to the Charter of the City of College Park, hereby proposed by this enactment, shall be and become effective upon the fiftieth (50th) day after its

passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its passage. A complete and exact copy of this Charter Resolution shall be posted in the City offices located at 7401 Baltimore Avenue, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

Section 3. BE IT FURTHER RESOLVED that, within ten (10) days after the Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Charter 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 City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

Section 4. BE IT FURTHER RESOLVED that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

Section 5. BE IT FURTHER RESOLVED that if any provision of this Resolution

or the Charter adopted by this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution or of the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the 13th day of February 2024.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the 5th day of March, 2024.

EFFECTIVE the 24th day of April 2024.

ATTEST:

Janeen S. Miller
Janeen S. Miller, CMC, City Clerk

CITY OF COLLEGE PARK,

By S. F. Kabir
Fazlul Kabir, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Stephanie P. Anderson
Stephanie P. Anderson, City Attorney