



## Legislation Details (With Text)

**File #:** 15-0494      **Version:** 0      **Name:** Charter Amendment - Special Elections - Mayoral Vacancies  
**Type:** Mayor and City Council Res.      **Status:** Failed - End of Term  
**File created:** 3/9/2015      **In control:** Judiciary and Legislative Investigations  
**On agenda:**      **Final action:** 12/5/2016  
**Enactment date:**      **Enactment #:**  
**Title:** Charter Amendment - Special Elections - Mayoral Vacancies  
FOR the purpose of authorizing, under certain circumstances, the filling of Mayoral vacancies by special election; conforming, correcting, and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.  
**Sponsors:** Bill Henry  
**Indexes:** Charter Amendment, Special Elections - Mayoral Vacancies  
**Code sections:**  
**Attachments:** 1. 15-0494~1st Reader

Date	Ver.	Action By	Action	Result
3/12/2015	0	The City Council	Refer to City Solicitor	
3/9/2015	0	City Council	Assigned	
3/9/2015	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL  
(Charter Amendment)

Introduced by: Councilmember Henry  
A RESOLUTION ENTITLED

A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning  
**Charter Amendment - Special Elections - Mayoral Vacancies**

FOR the purpose of authorizing, under certain circumstances, the filling of Mayoral vacancies by special election; conforming, correcting, and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY authority of  
Article XI-A - Local Legislation  
Section 3  
Maryland Constitution

BY proposing to amend  
Article IV - Mayor  
Section 2  
Baltimore City Charter  
(1996 Edition)

BY proposing to amend  
Article III - City Council  
Sections 4, 10(b), and 10(c)  
Baltimore City Charter  
(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article IV. Mayor

♦♦2. Vacancy or absence.

(a) Vacancy.

[In case of vacancy in the office of the Mayor by death, resignation, or permanent disqualification,] IF THE MAYOR DIES, RESIGNS, IS REMOVED, OR BECOMES DISQUALIFIED BEFORE EXPIRATION OF THE TERM FOR WHICH THE MAYOR WAS ELECTED, THE VACANCY SHALL BE FILLED AS FOLLOWS:

(1) FOR A VACANCY THAT OCCURS DURING THE FIRST 3 YEARS OF THE TERM, THE VACANCY SHALL BE FILLED BY SPECIAL ELECTION, TO BE CALLED AND CONDUCTED AS PROVIDED BY ORDINANCE OF THE MAYOR AND CITY COUNCIL, CONSISTENT WITH THE CONSTITUTION AND LAWS OF THE STATE. UNTIL THE NEW MAYOR IS ELECTED AND QUALIFIED, THE PRESIDENT OF THE CITY COUNCIL SHALL SERVE AS ACTING MAYOR.

(2) FOR A VACANCY THAT OCCURS DURING THE LAST YEAR OF THE TERM, the President of the City Council [shall be] BECOMES Mayor for the remainder of the UNEXPIRED term [for which the Mayor was elected].

(b) Absence.

In case of, and during, THE MAYOR♦S sickness, temporary disqualification, or necessary absence [of the Mayor], the President of the City Council shall [be ex officio] SERVE AS ACTING Mayor [of the

City].

### Article III. City Council

#### ◆◆4. Vacancy in presidency.

[If it becomes necessary for the President of the City Council to fill the unexpired term of the Mayor, or in] IN case of the PRESIDENT◆S BECOMING MAYOR UNDER ARTICLE IV, ◆ 2(A)(2) OF THIS CHARTER, OR THE PRESIDENT◆S death, resignation, removal, or [other] disqualification [of the President], the City Council, by a majority vote of its members, shall elect a PERSON, QUALIFIED UNDER SECTION 3 OF THIS ARTICLE, TO SERVE AS [new president] PRESIDENT for the REMAINDER OF THE unexpired term. The person so elected as President may[, ] but need not[, ] be, at the time of election, a member of the City Council.

#### ◆◆10. Procedures; Council officers.

##### (b) Vice-President ◆ [in general] APPOINTMENT.

The City Council, by a majority vote of its members, shall [appoint] ELECT A COUNCIL VICE-PRESIDENT from AMONG its members [a Vice▲President,].

##### (C) VICE-PRESIDENT ◆ DUTIES.

(1) [who, in] IN CASE OF, AND DURING, THE PRESIDENT◆S SERVICE AS ACTING MAYOR UNDER ARTICLE IV, ◆ 2(A)(1) OF THIS CHARTER, OR THE PRESIDENT◆S [absence,] sickness, [or] TEMPORARY disqualification, OR OTHER ABSENCE [of the President], THE VICE-PRESIDENT shall:

(I) preside at all [its] meetings OF THE CITY COUNCIL[.]; AND

(II) [The Vice▲President also shall be] SERVE AS [an] acting member AND ACTING PRESIDENT of the Board of Estimates [in the absence, sickness, or temporary disqualification of the President].

[(c) Vice-President ◆ as acting Mayor.]

(2) In case of, and during, [necessary absence,] THE sickness, [or the] temporary disqualification, OR NECESSARY ABSENCE of both the Mayor and the President [of the City Council], the Vice▲President shall [be acting] SERVE AS ACTING Mayor.

SECTION 2. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, ◆◆5 of the Maryland Constitution, in the form specified by the City Solicitor.

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artsIII&IV/Vacancies/aa:me

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artsIII&IV/Vacancies/aa:me