

# HOUSE . . . . No. 1664

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By Mr. William T. O'Brien of Fall River, petition of William T. O'Brien relative to filling vacancies in the office of mayor and in the municipal council of the city of Fall River. Cities.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Nine.

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AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE OFFICE OF MAYOR AND IN THE MUNICIPAL COUNCIL IN THE CITY OF FALL RIVER.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. If a person elected to the office of  
2 mayor in the city of Fall River resigns, after having  
3 been inducted into office, or if said office becomes  
4 vacant by reason of death, imprisonment or any other  
5 cause, the municipal council of said city shall, within  
6 fifteen days thereafter, elect by a majority vote a  
7 mayor from their own number, who shall serve for the  
8 remainder of the term of the person elected as mayor  
9 at the last preceding biennial election, and shall be  
10 paid during his term of office on the same annual  
11 salary basis as his predecessor.

1 SECTION 2. If a member of the city council of said  
2 city resigns, or if there is a vacancy in said council by

3 reason of death, imprisonment or any other cause, the  
4 council shall, within fifteen days thereafter, fill such  
5 vacancy by electing the person who at the last biennial  
6 election received the next highest vote to the last of  
7 the nine persons elected thereat to the council, and  
8 on his refusal to serve, the person who received the  
9 next highest vote to him at said election, and, on his  
10 refusal to serve, other persons who were candidates  
11 for membership in the council at said election and  
12 were defeated shall be elected to fill such vacancy in  
13 the order of the respective number of votes received  
14 by such candidates at said election. The person so  
15 elected shall serve for the balance of the unexpired  
16 term of the person whom he succeeds and his salary  
17 shall be on the same annual basis as all other members  
18 of the council.

1 SECTION 3. So much of chapter forty-three of the  
2 General Laws as is inconsistent with the provisions of  
3 this act shall not apply in the city of Fall River.

1 SECTION 4. This act shall take effect upon its  
2 passage.