

HOUSE No. 1517

By Mr. Bly of Saugus, petition of William Nichols for legislation to revise the charter of the city of Lynn and to change the method of filling of vacancies under certain conditions. Cities.

The Commonwealth of Massachusetts

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

AN ACT TO REVISE THE CITY CHARTER OF LYNN, CHANGING THE METHOD OF FILLING VACANCIES UNDER CERTAIN CONDITIONS.

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

1 Chapter 340 of the special acts of 1917 is hereby
2 amended by inserting after section 57 the following
3 section:—

4 *Section 57A.* Notwithstanding any provisions of
5 the law to the contrary, the holder of any city elective
6 office, exclusive of the mayor, may be replaced at any
7 time in accordance with the procedure as follows:—

8 (A) If a member of the city council is unable to at-
9 tend and properly represent his office at the city
10 council meeting, for a period of time exceeding three
11 months, his office shall be declared vacant and his
12 pay shall be forfeited. A majority of the city council
13 shall appoint a temporary appointee to fill such va-

14 cancy. (B) In the case of any other elected officer
15 who is unable to attend and properly represent his
16 office, such office shall be declared vacant and a tem-
17 porary appointee shall be appointed by a majority of
18 the city council to fill such vacancy. The officer un-
19 able to attend office shall receive no remuneration
20 while the vacancy exists. (C) In making appoint-
21 ments to fill the vacancies hereinabove referred to,
22 due consideration shall be given to the candidate in
23 the last preceding annual election who received the
24 highest number of votes of those who failed to be
25 elected to such office. (D) When any elected officer
26 hereinabove referred to is able to properly represent
27 his office, he shall notify the mayor in writing of his
28 intention to represent his office and his reinstatement
29 shall take effect in two weeks following such notifi-
30 cation.