

RESOLUTION NO. CA-4-10

RESOLUTION OF THE MAYOR AND CITY COUNCIL TO
AMEND SECTION 78 OF THE CITY CHARTER ENTITLED
"OATH OF OFFICE FOR CERTAIN CITY OFFICERS" TO
REVISE OATH LANGUAGE FOR FUTURE USE BY
RESOLUTION

WHEREAS, Section 78 of the Charter of the City of Gaithersburg establishes oath requirements for the Mayor, City Council and other City Officers; and

WHEREAS, it is the public interest to require the oath of office for elected and appointed officials subject to the oath to agree to execute their office according to the provisions of the City Charter and Code

WHEREAS, the amendment of Section 78 of the Charter of the City of Gaithersburg was duly considered by the Mayor and City Council at a public hearing held on May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED, that Section 78 of the City Charter is hereby amended as follows:

Section 1 – That Section 78 of the Charter of the City of Gaithersburg be, and the same is, repealed and reenacted with amendments as follows:

Sec. 78. Oath of office for certain city officers.

(a) Before entering upon the duties of their offices, the mayor, the councilman ~~member~~, the city manager and the members of the board of supervisors of elections shall take and subscribe the following oath or affirmation: "I, _____, do swear (or affirm as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of _____, according to the United States and Maryland Constitutions, and the Laws of this State; and the Gaithersburg City Charter and Code."

(b) The mayor shall take and subscribe this oath or affirmation before the clerk of the Circuit Court for the county or before one of the sworn deputies of the clerk. All other persons taking and subscribing the oath shall do so before the mayor.

Section 2 – BE IT FURTHER RESOLVED that the date of the adoption of this resolution is June 7, 2010, and that the amendment to the Charter of the City of Gaithersburg, as herein

adopted, shall be and become effective on July 27, 2010, unless on or before said date a proper petition for referendum of this resolution shall be filed as permitted by law.

Section 3 – BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877, until July 27, 2010, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Gaithersburg not fewer than four (4) times at weekly intervals before July 22, 2010.

Section 4 – AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

ADOPTED by the City Council this 7th day of June, 2010.

SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in a public meeting assembled on the
7th day of June, 2010. This Resolution will
become effective on the 27th day of July, 2010.

Angel L. Jones, City Manager