



City of Cambridge

63.

IN CITY COUNCIL

January 12, 1998

COUNCILLOR TOOMEY

WHEREAS: The December 28, 1995, legal opinion issued by the City Solicitor that allows the City Council member senior in service to assume the duties of Mayor in the absence of a duly elected Mayor, cites Massachusetts General Law Chapter 43, Section 11 as the reason for that ruling; and

WHEREAS: M.G.L.c.43 Sec. 11, as referenced by the City Solicitor on page one of his opinion has no mention of the language cited in the opinion; and

WHEREAS: M.G.L.c.43,s100, as referenced by the City Solicitor on page two of his opinion, also contains language regarding the appointment powers of the Mayor which were not addressed in the opinion; now therefore be it

ORDERED: That the City Council obtain an outside legal opinion on the issue of whether the member of the City Council senior in service may assume the duties of Mayor in the absence of a duly elected Mayor.

In City Council January 12, 1998.

~~Adopted by the affirmative vote of eight members.~~

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk



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Consent Order #63

12CM

Councillor Toomey re: Obtain outside legal opinion on the issue of whether the member of the City Council senior in service may assume the duties of Mayor in the absence of a duly elected Mayor.

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In City Council January 12, 1998

ORDER ADOPTED