

THE TOWN OF FOREST HEIGHTS
RESOLUTION 14-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS (THE "TOWN") ADOPTING A POLICY AND REGULATIONS REGARDING THE PUBLICATION OF CANDIDATES' BIOGRAPHIC OR OTHER STATEMENTS AND INFORMATION PERTAINING TO ELECTIVE OFFICE OR TOWN BUSINESS IN THE TOWN NEWSLETTER; AND GENERALLY RELATING TO THE TOWN NEWSLETTER

Introduced By: Mayor Jacqueline Goodall

WHEREAS, pursuant to Section 2.5(a) of the Town Ordinance Code; the Town Council may, from time to time, by resolution issue such rules and regulations governing: (1.) the use of Town property by officers, employees, and volunteers and (2.) the compensation, discipline, performance, safety, separation and all other matters pertaining to the employment, supervision or management of the Town's officers, employees, and volunteers, as it deems appropriate; and

WHEREAS, the Town currently owns and publishes a newsletter for public and municipal purposes, entitled the "Forest Heights News," and said newsletter is distributed to residents via the U.S. Postal Service and may be posted on the Town's website; and

WHEREAS, the Town's officials and employees may be personally held liable for tortious acts including but not limited to uttering or republishing defamatory statements particularly if done maliciously or outside the scope of their office or employment; and

WHEREAS, the governing body of the Town wishes to adopt certain policies and regulations pertaining to materials or statements prepared by any candidate for municipal office intended for publication in said newsletter, including Candidate's statements that are typically published prior to the Town's General Election.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves, issues, ratifies and adopts the following:

TOWN NEWSLETTER PUBLICATION POLICY

SECTION I – CAMPAIGN STATEMENTS AND NEWSLETTER CONTENT

A. A campaign statement or biography that may be published in the "Forest Heights News" may be submitted by a candidate for Town office prior to the election and may include the name, age, a small photograph, ward, office sought, and occupation of the candidate, and/or a brief description, that no more than one (1) page in length, or 2 pages if the second page is translation or as otherwise uniformly limited by the Town Clerk, of the candidate's education, relevant experience, past service to the community, endorsements, if any, and qualifications of the specific individual candidate expressed or adopted by the candidate himself or herself. The statement shall be filed, in typewritten form, in the office of the Town Clerk along with and at the time of filing of the Candidate's certificate of nomination or such other time as previously announced and posted in the Municipal Building and/or said newsletter by the Town Clerk. The candidate must pay for or provide in-kind a second translation page if any.

THE TOWN OF FOREST HEIGHTS
RESOLUTION 14-13

B. The statement may be withdrawn, but not changed by the candidate, after it is filed with the Clerk unless the Town Administrator or his designee finds the statement or biography does not substantially conform to the requirements of this policy and/or provides information that is deemed to be defamatory or otherwise tortious, and in such case the document may be returned for revision and resubmittal within a reasonable time (i.e., less than 72 hours) prior to the newsletter publication deadline.

C. This campaign statement or biography shall be provided for informational purposes only to be published in the "Forest Heights News" (i.e., Town) newsletter and is not to be confused or substituted with the required candidate's certificate of nomination as referenced in Section 33-31 of the Town Charter.

D. Unless it otherwise violates law, a resolution of Council or this policy, the Mayor or, in any case of subject matter involving an election, the Town Administrator shall have complete discretion in determining the content of said Town newsletter prior to publication and may delete, redact, amend, withhold or otherwise retract any published content at any time.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

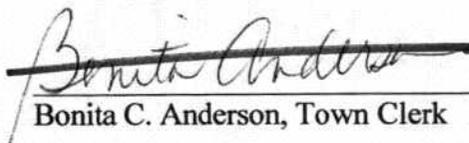
PASSED this 20th day of February 2013.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

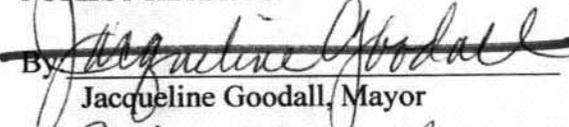
| <u>ROLL CALL VOTE</u> | <u>YEA/NAY/ABSTAIN/ABSENT</u> |
|-----------------------|-------------------------------|
| GOODALL | <u>YEA</u> |
| KENNEDY | <u>YEA</u> |
| STONER | <u>NAY</u> |
| BARNES | <u>YEA</u> |
| CLARKE | <u>YEA</u> |
| SMITH-BARNES | <u>YEA</u> |
| REIFSNEIDER | <u>ABSENT</u> |

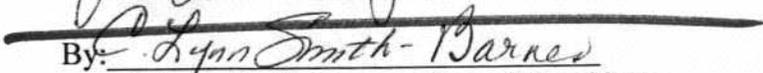
I HEREBY CERTIFY that the above Resolution No. 14-13 was passed by the required yea and nay votes of the Mayor and Council of the Town of Forest Heights on the 20th day of February, 2013.

ATTEST:


Bonita C. Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE TOWN OF
FOREST HEIGHTS

By: 
Jacqueline Goodall, Mayor

By: 
C. Lynn Smith-Barnes, Council President