

4386.

APPROVAL, BONDS OF VILLAGE OF FLUSHING, BELMONT COUNTY, OHIO,  
\$13,660.00.

COLUMBUS, OHIO, July 2, 1935.

*Industrial Commission of Ohio, Columbus, Ohio.*

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4387.

MAYOR—ABANDONMENT OF OFFICE CONSTITUTES IMPLIED RESIGNATION.

*SYLLABUS:*

1. *Abandonment of the office of mayor of a city constitutes implied resignation of the office, and is a ground for vacancy under section 4274, General Code.*
2. *Questions relating to abandonment of the office of mayor of a city discussed.*

COLUMBUS, OHIO, July 2, 1935.

*Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.*

GENTLEMEN:—This is to acknowledge receipt of your recent communication reading as follows:

“We are unable to find in our files any interpretation of law relative to the removal of a mayor of a city, except in the manner provided in sections 4268 and 4269 G. C.

Therefore, we find it necessary to submit the questions contained in the inclosed letter to you for an opinion.”

The enclosed letter referred to in and attached to your communication, reads as follows:

“The opinion of your department upon the following questions is respectfully requested:

1. May the council of a municipality declare by resolution the office of Mayor vacant when the Mayor has been out of the city, in another state, his whereabouts unknown, for a period of over ninety days?
2. May the Auditor safely pay the salary of Mayor to President of Council who is now serving as Mayor when resolution as stated above has been passed by council?
3. Could the legality of any legislation be questioned which would be passed by council and signed by the present Mayor?
4. Would the procedure as stated above in any way effect the validity of bonds issued?