

(d) No former elected City Official shall hold any compensated appointive City Office or employment until one (1) year after the expiration of the term for which he or she was elected.

(Ord. No. 80-7-380, § 1, 7-3-80; Ord. No. 82-2-462, § 1, 2-2-82; Ord. No. 06-05-1166, §§ 2, 5, 5-31-06)

Editor's note—Ord. No. 06-05-1166 adopted May 31, 2006 was approved at the November 2006 referendum election.

Sec. 3.6 Vacancy; forfeiture of office; filling of vacancies.

(a) The office of a City Commissioner shall become vacant upon his or her death, resignation, removal from office in any manner prescribed by law or this Charter or forfeiture of this office, or in the event a Councilmember elected from a Councilmember election district fails to reside in such election district.

(b) A City Commissioner shall forfeit his or her office if he or she (1) lacks at any time during his or her term of office any of the qualifications for the office prescribed by this Charter or by law, (2) fails to attend four (4) consecutive regular meetings of the city commission without being excused by the city commission by formal action entered upon the minutes, or (3) is convicted in a court of competent jurisdiction of a felony or other crime involving moral turpitude.

(c) In the event of a vacancy on the Commission the remaining members of the City Commission shall, by majority vote, choose a successor to fill the seat of the Commission member whose seat became vacant. Such successor shall be a resident qualified voter from the same election district in which the vacancy has occurred if from a Commission member election district; if a majority of said remaining members is unable to choose a successor to fill said vacancy within thirty (30) days following the occurrence of such vacancy, the Commission shall schedule a special election to be held not sooner than thirty (30) days nor more than ninety (90) days following the occurrence of the vacancy. The Commission member chosen by the City Commission to fill a vacancy as specified above or a Commission member elected at a special election to fill a vacant Commission seat shall serve out only the

remaining term of the Commission member whose seat became vacant. Notwithstanding any other quorum requirements established herein, if at any time the membership of the Commission is reduced to less than a quorum, the remaining members shall forthwith call for a special election for additional members to fill all Commission vacancies.

(d) In the event that all members of the Commission are removed by death or disability or forfeiture of office, within a period of seven days from removal by death, disability or forfeiture of office of the first member of Commission to the fifth member of Commission, then the City Manager or the City Clerk shall immediately notify the Governor of this fact and the Governor shall appoint an interim Commission that shall call a special election, as provided in (c) above, and such election shall be conducted in the same manner as the first election under this Charter. During the interim period of time, from the seventh day of aforesaid until the Governor appoints an interim Commission, all of the duties and powers herein vested in the City Commission shall be vested in the City Manager and the City Clerk.

(Amend. No. 79-1; Ord. No. 80-7-380, § 1, 7-3-80; Ord. No. 83-12-523, § 4, 12-15-83; Ord. No. 95-12-898, § 2, 12-12-95; Ord. No. 06-05-1166, §§ 5, 7, 5-31-06; Ord. No. 12-05-1267, § 2, 5-8-12)

Editor's note—Ord. No. 12-05-1267 adopted May 8, 2012 was approved at the November 6, 2012 referendum election.

Editor's note—Ord. No. 06-05-1166 adopted May 31, 2006 was approved at the November 2006 referendum election.

Editor's note—The amendment to § 3.6 promulgated by § 4 of Ord. No. 83-12-523 was approved at the election of March 1984.

Sec. 3.7 Forfeiture hearings.

(a) The Council shall be the Judge of the grounds constituting a forfeiture of a member's office.

(b) Any one member of the Council shall have the power to charge any other member with grounds which, if found to exist, would constitute a forfeiture of office.