

By Judy Streffer
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9.32 Removal by Council
Removal of Council Member:

The Council shall be the judge of the election and qualifications of its own members. It may punish, suspend or remove from Council any member for

1. gross misconduct, malfeasance, misfeasance, nonfeasance, or
2. disqualification from office, or
3. for the conviction while in office of a crime involving moral turpitude, or
4. for persistent failure to abide by the rules of Council, or
5. if adjudicated legally incompetent, or
6. for a violation of his/her oath of office
7. absence without justifiable excuse from 3 consecutive regular meetings of council
8. having pled to or convicted of a felony while in office

provided that such punishment, suspension or removal shall not take place without providing a written complaint setting forth the charge or charges signed by at least four (4) members of council and shall be filed with the Clerk of Council, who shall cause a copy thereof to be served upon the accused Council member immediately and at least ten (10) days before a hearing by Council on the matters specified in such complaint, where ~~the~~ accused Council Member or his/her counsel will be given an opportunity to be heard, present evidence, or examine any witness or witnesses in support of said charges. A decision to punish, suspend or remove the Council Member shall state the facts which support the grounds specified in the complaint and shall require the concurrence of at least five (5) members of Council, and be filed with the Clerk of Council. Removal from office of any council person shall not render void or ineffective any action of Council in which such member has participated unless declared void by two-thirds vote of all remaining members of Council.

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