

Section IX:

Section 9.3 Removal From Office

9.31- Unchanged

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 remove from Council any member for gross misconduct, malfeasance, misfeasance, nonfeasance, disqualification from office, for the conviction while in office of a crime involving moral turpitude, for persistent failure to abide by the rules of Council, or if adjudicated legally incompetent, provided that such 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 at least ten (10) days before a hearing by Council on the matters specified in such complaint. 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 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.

Insert a section:

Removal of Mayor:

The Council may remove the Mayor from office for gross misconduct, malfeasance, misfeasance, nonfeasance, disqualification from office, for the conviction while in office of a crime involving moral turpitude, or if adjudicated legally incompetent, provided however that such 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 mayor at least ten (10) days before a hearing by Council on the matters specified in such complaint. The Mayor 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 remove the Mayor 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.