

ORDINANCE NUMBER 12

AN ORDINANCE RELATING TO THE REMOVAL OF OFFICERS.  
BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
ARCADIA, MISSOURI, as follows:

SECTION 1. REMOVAL OF ELECTIVE OFFICERS AND APPOINTIVE  
OFFICERS.

The Mayor may, with the consent of a majority of all the Members elected to the Board of Alderman, remove from Office, for cause shown, any elective Officer of the City, such Officer being first given opportunity, together with his Witnesses, to be heard before the Board of Alderman sitting as a Board of Impeachment. Any elective Officer, including the Mayor, may in like manner, for cause shown, be removed from Office by two-thirds vote of all Members elected to the Board of Alderman, independently of the Mayor's approval or recommendation. The Mayor may, with the consent of a majority of all the Members elected to the Board of Alderman, remove from Office any appointive Officer of the City at will, and any such appointive Officer may be so removed by a two-thirds vote of all the Members elected to the Board of Alderman, independently of the Mayor's approval or recommendation.

SECTION 2. COMPLAINTS BY CITIZENS AND OFFICERS.

Any Citizen or Officer of the City may make a complaint against an Officer, in writing, specifying that said Officer has either: Willfully violated any of

his Official duties, culpable Official negligence, dereliction of Official duty, Official incompetency, or conviction of a crime connected with his Office. Such complaint must specify the nature of the charge and be signed by a Citizen or Officer making the same.

Said complaint shall be filed with the Mayor. If the Mayor believes the grounds stated are valid, he shall lay such complaint before the Board of Alderman at a Special Meeting the Mayor shall call within Ten (10) days after he receives the complaint. If the Mayor does not believe the grounds for removal as set forth in the complaint are valid, or if the Mayor does not deem removal of the accused Officer to be in the best interest of the City, the Mayor need not take any action.

If the Mayor has not acted within Ten (10) days after receipt of the complaint, then the Citizen or Officer who made the complaint in the first instance may take such written and signed complaint to the Board of Alderman at a Regular Meeting thereof. The Board shall thereafter take up such complaint in Executive Session and if a majority of the Alderman shall believe that reasonable grounds exist to consider the complaint valid, the Board may consider removal of said Officer or Employee as stated in Section One of this Ordinance.


SECTION 3. SEVERANCE CLAUSE.

That if any Section, Sentence, Phrase, or Clause of this Ordinance shall be held to be invalid for any reason by a court of competent jurisdiction, the invalidity of such Section, Sentence, Phrase, or Clause shall not impair the Validity of the remaining Sections, Sentences, Phrases or Clauses of this Ordinance; The Board of Alderman hereby declares that it would have Passed the remaining Portions of this Ordinance had it known that such Section, Sentence, Phrase, or Clause would be held invalid.

SECTION 4. REPEALING CONFLICTING ORDINANCES.

That all Ordinances or parts of Ordinances in conflict herewith, shall be, and the same are hereby repealed; and this Ordinance shall be in full force and effect from and after its passage and approval as provided by Law.

WHEREUPON, this Ordinance was read Three (3) Times and Approved by Vote of the Board of Alderman of the City of Arcadia, Missouri, on this 16TH Day of NOVEMBER, 1990.

  
Kenneth W. Lumbley, Mayor  
City of Arcadia, Missouri

ATTEST:

  
Joyce Callisto, City Clerk