

§ 31.21 MAYOR; MAYOR PRO TEM.

(A) *Election; term of office.* The Mayor of this city shall be elected by the voters of the city at a regular election. A candidate for Mayor shall be a resident of the city for not less than one year prior to his or her election. His term of office shall begin on the first day of January following his election and shall be for four years and until his successor qualifies. If a person is elected or appointed as Mayor in response to a vacancy and serves less than four calendar years, then that period of service shall not be considered for purposes of re-election a term of office.

(B) *Qualifications.* The Mayor shall be at least 21 years of age, shall be a qualified voter in the city, and shall reside in the city throughout his term of office.

(C) *Vacancy.* If a vacancy occurs in the office of Mayor, the Commission shall fill the vacancy within 30 days. If for any reason, any vacancy in the office of Mayor is not filled within 30 days after it occurs, the Governor shall promptly fill the vacancy by appointment of a qualified person who shall serve for the same period as if otherwise appointed.
(KRS 83A.040(1),(2), and (6))

(1) When voting to fill a vacancy in the office of Mayor, a member of the City Commission may vote for himself. (KRS 83A.040(2)(b))

(2) When voting to fill a vacancy created by the resignation of the Mayor, the resigning Mayor shall not vote on his successor. (KRS 83A.040(3))

(3) No vacancy by reason of a voluntary resignation in the office of Mayor shall occur unless a written resignation which specifies the resignation date is tendered to the City Commission. The resignation shall be effective at the next regular or special meeting of the city legislative body occurring after the date specified in the written letter of resignation. (KRS 83A.040(7))

(4) If a vacancy occurs in the office of Mayor which is required by law to be filled temporarily by appointment, the City Commission shall immediately notify in writing both the County Clerk and the Secretary of State of the vacancy. (KRS 83A. 040(8))

(5) The City Commission shall elect from among its members an individual to preside over meetings of the City Commission during any vacancy in the office of the Mayor in accordance with the provisions of KRS 83A.130. (KRS 83A.040(2)(d))

(D) *Powers and duties.*

(1) The Mayor shall preside at all meetings of the Commission and may vote in all proceedings.

(2) All bonds, notes, contracts, and written obligations of the city authorized by ordinance or resolution shall be executed by the Mayor on behalf of the city.
(KRS 83A.140(4))

(E) *Mayor Pro Tem.*

(1) The Commission shall designate one City Commissioner to serve as Mayor Pro Tern. The Mayor Pro Tern shall act for the Mayor whenever the Mayor is unable to attend to the duties of his office and he shall then possess all rights, powers, and duties of Mayor.

(2) If the disability of the Mayor to attend to his duties continues for 60 consecutive days, the office of Mayor may be declared vacant by a majority vote of the Commission membership, and the provisions of division (C) above shall apply.

(KRS 83A.140(4))

Cross-reference:

Succession in the event of absence or disability during a national, state, or local emergency, see § 31.04