

CHAPTER 31: MAYOR

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§ 31.01 MAYOR; ELECTION; TERM; QUALIFICATIONS.

(A) Election; term of office. The Mayor of this city shall be elected by the voters of the city at a regular election. His term of office begins 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 reelection a term of office.

(B) Qualification. 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, Council 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), (6))

(1) When voting to fill a vacancy in the office of Mayor, a member of the City Council shall not vote for himself. (KRS 83A.040(2)(c))

(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 Council. 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 Council shall immediately notify in writing both the County clerk and the Secretary of State of the vacancy. (KRS 83A.040(8))

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

§ 31.02 MAYOR PRO TEM; ABSENCE OF MAYOR.

(A) In the absence of the Mayor, the City Council shall elect a Mayor Pro Tem from its own members in accordance with KRS 83A.130(5).

(B) Any delegation of the Mayor's power, duties, or responsibilities to subordinate officers and employees and any expression of his official authority to fulfill executive functions shall be made by executive order.

Executive orders shall be sequentially numbered by years and shall be kept in a permanent file.

(KRS 83A.130(7))

(C) The Mayor shall provide for the orderly continuation of the functions of city government at any time he is unable to attend to the duties of his office by delegating responsibility for any function to be performed in accordance with division (A) above. However, the Mayor may not delegate the responsibility of presiding at meetings of the Council, and the authority to approve ordinances or promulgate administrative procedures may only be delegated to an elected officer.

With approval of the Council, the Mayor may rescind any action taken in his absence under this subsection within 30 days of such action. If for any reason the disability of the Mayor to attend to his duties persists for 60 consecutive days, the office of Mayor may be declared vacant by a majority vote of the Council and the provisions of KRS 83A.040 shall apply. (KRS 83A.130(10))

Statutory reference:

Delegation of Mayor's authority during absence, see KRS 83A.130

§ 31.03 DUTIES AND POWERS OF MAYOR.

(A) The Mayor shall see that the laws and ordinances of the city are enforced and observed.

(B) The Mayor may require written information from any city officer upon any subject relating to the duties of that officer.

(C) The Mayor shall be the head of the City Police, and may command them in the performance of their duties. He shall be a conservator of the peace, and when he considers it necessary in order to enforce the laws of the city, save life or property, or quell riots or mobs, he may

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