

- **Sec. 3.07. - Vacancies; forfeiture of office; filling of vacancies.**

Misses four (4) regularly scheduled council meetings in a twelve-month period from first Tuesday of April of each year, without being excused as specifically approved by the council for each absence.

*Filling of vacancies:* A vacancy on the council whether of a commissioner or mayor shall be filled by the council appointing a candidate where the vacancy has occurred.

The council shall direct the city manager to post the vacancy on the city website and at city hall. The city manager shall provide and process applications for the vacancy, review the application for completeness, and provide the completed applications to the city clerk. City clerk shall verify that the applicant satisfies the residency and qualifications requirements to hold the office as indicated in this Charter and under state law, and all public disclosure requirements for any elected official that may be required under state law, this Charter or other applicable law. City manager and city clerk shall then submit the applications to the city council for review, consideration or approval.

City council may interview all or a portion of the applicants if it so desires. The method and manner of selection of the applicant to fill the vacancy shall be in the council's discretion. Majority vote of the council at a public hearing shall approve the new member to fill the vacancy. The selected applicant must agree to accept the position and comply with all applicable state, local or municipal laws, rules, charters or ordinances including all public disclosure requirements. If not, the council shall select another applicant for the vacancy.

The filling of the office shall be completed within one month (30 days) of the date that the council seat or office of mayor was vacated. After the seat has been filled, the newly appointed commissioner or mayor shall hold the applicable office until the next regular election for that office.

If the 30-day time period for filling the vacant office expires before the office is filled, whether by failure of a candidate to properly qualify for the vacant office or by failure of the city council to approve the candidate by majority vote, the time period for filling the vacancy shall be extended by 30 days, and if necessary shall be extended for an additional 30 days.

*Extraordinary vacancies:* In the event that all commissioners are removed by death, disability, resignation or forfeiture of office, the governor shall appoint an interim council who shall immediately call for a special election to be held within ninety (90) days.

([Ord. No. 17-17](#), §§ 8, 10, 12-5-2017, App. at Ref. 3-13-2018)

**State Law reference**— Mandate to provide for filling of vacancies in elective offices, F.S. § 166.031(6).