Sec. 5. Vacancies; forfeiture of office; filling of vacancies.

(a) *Vacancies.* The office of the mayor or of a commissioner shall become vacant upon the death, resignation, removal from office in any manner authorized by law, or forfeiture of such office by a member; such vacancy to be declared by the remaining members of the commission.

(b) *Forfeiture of office or candidacy.* The mayor or a commissioner shall forfeit such office or candidacy if lacking at any time during a term of office or candidacy any qualification for the office prescribed by this charter or by law.

(c) *Filling of vacancies.* A vacancy of the city commission shall be filled in one of the following ways:

(1) If there are less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular city election, the city commission by a majority vote of the remaining members shall choose and appoint a successor to serve until a newly elected commissioner or mayor is qualified. Such appointment shall be made no later than twenty-four (24) hours prior to the opening of the qualifying period for the next city election. If a vacancy occurs after the opening of the qualifying period for the next city election, then this deadline will not apply.

(2) If there are more than six (6) months remaining in the unexpired term and no general city election is scheduled within six (6) months, the city commission shall fill the vacancy by a special election to be held no more than sixty (60) days following the occurrence of the vacancy. If a run-off election is necessary, it shall be scheduled two (2) weeks after the special election.

(d) *Extraordinary vacancies.* In the event that three (3) or more members of the city commission are removed by death, disability, the law, or forfeiture of office, the governor shall appoint an interim commission that shall call a special election as provided in (c)(2) above and such election shall be held in the same manner as the first election under this charter.

(Ord. No. 2021-24, § 7, 11-16-21, election of 3-8-22)