

SECTION X – X Recall

(a) Application – Any mayor, with more than 6 months remaining in the term of office for which elected, may be recalled therefrom by the voters of the city in the manner provided in this section. No recall petition shall be filed against the mayor within 6 months after taking office.

b) Recall Petition - A recall petition may be initiated by the filing with the city clerk an affidavit containing the mayor's name and a statement of the grounds for recall, **provided that the affidavit is signed by at least 500 voters; the affidavit shall contain a minimum of 50 signatures from each of the 8 wards into which the city is divided. The signatures shall be certified by the city clerk. Following such certification**, the city clerk shall thereupon deliver to those voters making the affidavit, copies of petition blanks demanding such recall, copies of which printed forms the city clerk shall keep available.

The blanks shall be issued by the city clerk, with signature and official seal attached thereto. The blanks shall be dated, shall be addressed to the city council and shall contain the names of all the persons to whom the blanks are issued, the number of blanks so issued, the name of the person whose recall is sought, and the grounds of recall as stated in the affidavit. A copy of the petition shall be entered in a record book to be kept in the office of the city clerk. Said recall petition shall be returned and filed with the city clerk within 28 days after the filing of the affidavit, and shall have been signed by at least 15 percent of the voters of the city. **A minimum of (number) – or - (percentage) of signatures must be from each of the 8 wards into which the city is divided.** The city clerk shall submit the petition to the Election Commission and the Commissioners shall, within 5 days, certify thereon the number of signatures which are names of voters.

(c) Recall Election - If the petition shall be found and certified by the city clerk to be sufficient, the city clerk shall submit the same with such certificate to the city council within 5 days, and the city council shall give written notice of the receipt of the certificate to the mayor and shall, if the mayor does not resign within 5 days

thereafter, order an election to be held on a date fixed by the city council not less than 45 days and not more than 75 days after the date of the city clerk's certificate that a sufficient petition has been filed; provided, however, that if any other city election is to occur within 120 days after the date of the certificate, the city council shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall not proceed as provided in this section.

d) Mayor - The incumbent shall continue to perform the duties of the office until the recall election. If said incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term subject to recall as before. If recalled, the mayor shall be deemed removed and the office vacant. The vacancy created thereby shall be filled under Article 3 of this charter for filling vacancies in the office of the mayor. The person chosen to fill the vacancy caused by a recall shall hold office until the next regular city election.

(e) Ballot Proposition - The form of the question to be voted upon shall be substantially as follows: "Shall [here insert mayor's name and title) be recalled?"

Yes ___ No ___

If a majority of the votes cast upon the question of recall is in the affirmative, the mayor shall be recalled.

(f) Repeat of Recall - In the case of a mayor subjected to a recall election and not recalled thereby, no recall petition shall be filed against **the mayor** until at least 270 days after the election at which the recall of the mayor was submitted to the voters of the city.

(g) **Mayor** Recalled – **Any mayor** who has been recalled from an office or who has resigned from office while recall proceedings were pending against **the mayor**, shall **not** be appointed to any city office within 2 years after such recall or such resignation.