

A.C.A. § 14-43-411

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*** Current through the 2015 Regular Session and First Extraordinary Session. ***

Title 14 Local Government
Subtitle 3. Municipal Government
Chapter 43 Government Of Cities Of The First Class
Subchapter 4 -- Officers and Employees Generally

A.C.A. § 14-43-411 (2015)

14-43-411. Alderman vacancy in mayor-council form of government.

(a) (1) (A) Whenever a vacancy occurs in the office of alderman in a city of the first class having a population of less than twenty thousand (20,000) according to the most recent federal decennial census, at the first regular meeting after the occurrence of the vacancy, the city council shall proceed to elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term.

(B) (i) However, at least a quorum of the whole number of the city council shall remain in order to fill a vacancy.

(ii) The election by the remaining members of the city council is not subject to veto by the mayor.

(2) The person elected by the council shall be a resident of the ward where the vacancy occurs at the time of the vacancy.

(b) When a vacancy occurs in any position of alderman in a city having a population of twenty thousand (20,000) or more according to the most recent federal decennial census, a new alderman shall be chosen in the following manner:

(1) If the unexpired portion of the term of alderman exceeds one (1) year, at the first regular meeting after the occurrence of the vacancy, the city council shall proceed to either elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term or call for a special election to be held in accordance with § 7-11-101 to fill the vacancy; or

(2) If the unexpired portion of the term of alderman is one (1) year or less, a successor shall be chosen by a majority vote of the members of the council.

HISTORY: Acts 1943, No. 154, § 1; 1981, No. 303, § 1; A.S.A. 1947, § 19-1026; Acts

1997, No. 202, § 1; 2005, No. 2145, § 28; 2007, No. 1049, § 47; 2009, No. 185, § 2;
2009, No. 385, § 2; 2009, No. 1480, § 65.