

Article 1-4

CITY OFFICERS

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1-401 **Elective Officers.**

The elective officers of the City of Rock Springs, Wyoming, shall be: a Mayor and two councilmen from each ward, who shall be elected in the manner by law provided. (3-1, Rev. Ord. 1938; Rev. Ord. 1963; Ord. No. 1559, 7-23-63).

1-402 **Appointive Officers.**

The appointive officers of the City of Rock Springs, Wyoming shall be City Attorney, such number of Assistant City Attorneys as the City Council may authorize, Director of Department of Finance and Administration, City Clerk, City Treasurer, Municipal Judge, Alternate Municipal Judges, Fire Chief (subject to competitive testing through the Civil Service regulations), Director of Engineering and Operations, Director of Public Services, Director of Parks and Recreation, and Chief of Police. Said officers shall be appointed by the Mayor, by and with the consent of the Council. Any officer not appointed or reappointed pursuant to this section shall have his or her employment with the City terminated at the time of the vote taken by the City Council on the appointment. In such case, the Mayor shall appoint, from within the department wherein the vacancy exists, a person to serve as the appointive officer on an interim basis. This person shall hold the position for no more than thirty (30) days without prior approval of the majority of the City Council. Every thirty (30) days thereafter, a majority of the governing body shall vote to allow the interim position to

exist for an additional thirty (30) days. Within sixty (60) days of the date of the creation of the vacancy, the Mayor shall make the nomination of a new appointee unless an extension of this time period is granted by vote of the majority of the governing body. The terms of the Assistant City Attorneys and Alternate Municipal Judges shall be at the will of the Mayor. (Ordinance No. 9, 8-4-04; 3-2, Rev. Ord. 1938; Amend. Ord. 864, 1-7-46; Amend. Ord. 1536, 3-18-63; Rev. Ord. 1963; 2222, 7-1-74; 2279, 12-16-74; Ord. No. 2115, 7-2-23; 2159, 12-27-73; Ord. 76-18, 6-1-76; Ord. No. 77-6, 4-5-77; Ord. No. 77-25, 7-19-77, Rev. Ord. 1979; Ord. No. 83-3, 3-1-83; Ord. No. 85-1, 3-85; Ord. No. 87-16, 9-2-87; Ord. No. 95-04, 7-18-95; Ord. 2013-20, 12-17-13, Ord. 2019-03, 3-5-19).

1-403 **Vacancies: Manner of Filling Vacancies.**

a. A vacancy in the office of the mayor or councilman exists whenever any of the following occurs during a mayor's or councilman's term of office:

i) A failure to fulfill residency requirements as required by Rock Springs Municipal Ordinance 1-401.

ii) A conviction for a felony or any crime involving moral turpitude or constituting a breach of his oath of office.

iii) Any other occurrence specified in W.S. §22-18-101(a).

b. The governing body shall by resolution declare a mayor's or councilman's office vacant whenever sufficient grounds exist pursuant to (a) above.

If a vacancy is known to occur at a future date, the governing body may choose a successor prior to the date of the vacancy, although the successor shall not be appointed until a vacancy is declared by the governing body.

Filling Vacancies

Council vacancies shall be filled by appointment of the governing body after the office is declared vacant. The governing body shall meet within fifteen (15) days after declaring an office vacant to appoint a successor.

Each member of the governing body may nominate an eligible person to fill the vacancy. The nominee who receives a majority of the votes shall be appointed to the vacancy. No vote shall be taken unless all members of the governing body are present.

Once nominations are received, all the members of the governing body shall vote by secret ballot until the two nominees receiving the greatest number of votes are selected, unless one nominee receives a majority of the votes during the first ballot. The governing body shall vote by successive ballots, if necessary, until one of the nominees receives a majority of the votes.

If vacancies are determined to have occurred simultaneously the governing body shall establish by resolution the sequence in which the vacancies are filled.

Mayoral vacancies shall be filled from the council in the same manner as required for council vacancies. The president of the governing body shall occupy the office of the mayor until the vacancy is filled, pursuant to W.S. §15-3-204. (Ord. No. 93-11, 7-20-93).

1-404 Vacancies.

Repealed. (Ord. No. 86-1, 2-18-86).

1-4-05 Removal.

Repealed. (Ord. No. 86-1, 2-18-86).