

CHAPTER 32: MAYOR AND BOARD OF ALDERMEN

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GENERALLY

§ 32.01 ALDERMEN, QUALIFICATIONS.

No person shall be an Alderman unless he or she be at least 21 years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a

resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected.

(Ord. 300, passed 7-6-2000)

§ 32.02 MAYOR, QUALIFICATIONS.

No person shall be Mayor unless he or she be at least 25 years of age, a citizen of the United States, and a resident of the city at the time of and for at least one year next preceding his or her election.

(Prior Code, § 110.020)

§ 32.03 BOARD TO SELECT AN ACTING PRESIDENT, TERM.

The Board shall elect one of their own number who shall be styled "Acting President of the Board of Aldermen" and who shall serve for a term of one year.

(Prior Code, § 110.030)

§ 32.04 ACTING PRESIDENT TO PERFORM DUTIES OF MAYOR.

When any vacancy shall happen in the office of Mayor by death, resignation, removal from the city, removal from office, refusal to qualify, or from any other cause whatever, the Acting President of the Board of Aldermen shall, for the time being, perform the duties of Mayor, with all the rights, privileges, powers, and jurisdiction of the Mayor, until such vacancy be filled or such disability be removed; or, in case of temporary absence, until the Mayor's return.

(Prior Code, § 110.040)

§ 32.05 MAYOR AND BOARD; DUTIES.

The Mayor and Board of Aldermen of each city governed by this chapter shall have the care, management, and control of the city and its finances, and shall have power to enact and ordain any and all ordinances not repugnant to the Constitution and laws of this state, and such as they shall deem expedient for the good government of the city, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants thereof, and such other ordinances, rules, and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify, or repeal the same.

(Prior Code, § 110.050)

§ 32.06 MAYOR MAY SIT IN BOARD.

The Mayor shall have a seat in and preside over the Board of Aldermen, but shall not vote on any question except in case of a tie, nor shall he or she preside or vote in cases when he or she is an

interested party. He or she shall exercise a general supervision over all the officers and affairs of the city, and shall take care that the ordinances of the city, and the state laws relating to such city, are complied with.

(Prior Code, § 110.060)

§ 32.07 ORDINANCES; PROCEDURE TO ENACT.

The style of the ordinances of the city shall be: "Be it ordained by the Board of Aldermen of the City of Otterville, as follows:" No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Aldermen shall vote for it, and the "ayes" and "nays" be entered on the journal. Every proposed ordinance shall be introduced to the Board of Aldermen in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the Board of Aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the Board of Aldermen. No bill shall become an ordinance until it shall have been signed by the Mayor or person exercising the duties of the Mayor's office, or shall have been passed over the Mayor's veto, as herein provided.

(Prior Code, § 110.070)

§ 32.08 BILLS MUST BE SIGNED; MAYOR'S VETO.

Every bill duly passed by the Board of Aldermen and presented to the Mayor and by him or her approved shall become an ordinance, and every bill presented as aforesaid, but returned with the Mayor's objections thereto, shall stand reconsidered. The Board of Aldermen shall cause the objections of the Mayor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Mayor thereto notwithstanding?" The vote on this question shall be taken by "ayes" and "nays" and the names entered upon the journal, and if two-thirds of all the members-elect shall vote in the affirmative, the City Clerk shall certify the fact on the roll, and the bill thus certified shall be deposited with the proper officer, and shall become an ordinance in the same manner and with like effect as if it had received the approval of the Mayor. The Mayor shall have power to sign or veto any ordinance passed by the Board of Aldermen; provided, that should he or she neglect or refuse to sign any ordinance and return the same with his or her objections, in writing, at the next regular meeting of the Board of Aldermen, the same shall become a law without his or her signature.

(Prior Code, § 110.080)

§ 32.09 BOARD TO KEEP JOURNAL OF PROCEEDINGS.

The Board of Aldermen shall cause to be kept a journal of its proceedings, and the "ayes" and "nays" shall be entered on any question at the request of any two members. The Board of Aldermen may prescribe and enforce such rules as it may find necessary for the expeditious transaction of its business.

(Prior Code, § 110.090)

§ 32.10 BOARD SHALL PUBLISH SEMI-ANNUAL STATEMENTS.

The Board of Aldermen shall semi-annually each year, at times to be set by the Board of Aldermen, make out and spread upon their records a full and detailed account and statement of the receipts and expenditures and indebtedness of the city for the half year ending with the last day of the month immediately preceding the date of such report, which account and statement shall be published in some newspaper in the city.

(Prior Code, § 110.100)

§ 32.11 NO MONEY OF CITY TO BE DISBURSED UNTIL STATEMENT IS PUBLISHED.

In the event the financial statement of the city is not published as required by § 32.10, the Treasurer of the city shall not pay out any money of the city on any warrant or order of the Board of Aldermen after the end of the month in which such financial statement should have been published until such time as such financial statement is published. Any Treasurer violating the provisions of this section shall be deemed guilty of a misdemeanor.

(Prior Code, § 110.110)

§ 32.12 BOARD MAY COMPEL ATTENDANCE OF WITNESSES; MAYOR TO ADMINISTER OATHS.

The Board of Aldermen shall have power to compel the attendance of witnesses and the production of papers and records relating to any subject under consideration in which the interest of the city is involved, and shall have power to call on the proper officers of the city, or of the county in which such city is located, to execute such process. The officer making such service shall be allowed to receive therefor such fees as are allowed by law in the Circuit Court for similar services, to be paid by the city. The Mayor or Acting President of the Board of Aldermen shall have power to administer oaths to witnesses.

(Prior Code, § 110.120)

§ 32.13 MAYOR TO SIGN COMMISSIONS.

The Mayor shall sign the commissions and appointments of all city officers elected or appointed in the city, and shall approve all official bonds unless otherwise prescribed by ordinance.

(Prior Code, § 110.130)

§ 32.14 MAYOR SHALL HAVE THE POWER TO ENFORCE LAWS.

The Mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the city, and he or she shall cause all subordinate officers to be dealt with promptly for any neglect or

violation of duty; and he or she is hereby authorized to call on every male inhabitant of the city over 18 years of age and under 50, to aid in enforcing the laws.
(Prior Code, § 110.140)

§ 32.15 MAYOR; COMMUNICATIONS TO BOARD.

The Mayor shall, from time to time, communicate to the Board of Aldermen such measures as may, in his or her opinion, tend to the improvement of the finances, the police, health, security, ornament, comfort, and general prosperity of the city.
(Prior Code, § 110.150)

§ 32.16 MAYOR MAY REMIT FINE, GRANT PARDON.

The Mayor shall have power to remit fines and forfeitures, and to grant reprieves and pardons for offenses arising under the ordinances of the city, but this section shall not be so construed as to authorize the Mayor to remit any costs which may have accrued to any officer of said city by reason of any prosecution under the laws or ordinances of such city.
(Prior Code, § 110.160)

BOARD OF MEETINGS

§ 32.30 REGULAR MEETINGS.

The Board of Aldermen shall meet in regular session at the City Hall at 6:00 p.m. on the first Wednesday of each month; provided however, that when such day shall fall upon a legal holiday, the Board of Aldermen will set a date and time for the regular meeting.
(Ord. 457, passed 11-11-2020)

§ 32.31 SPECIAL MEETINGS.

Special meetings may be called by the Mayor or by any two members of the Board by written request filed with the City Clerk, who shall thereupon prepare a notice of such special meeting in conformance with RSMo. Chapter 610.
(Prior Code, § 110.180)

§ 32.32 QUORUM MUST BE PRESENT.

At the hour appointed, the Mayor, or in his or her absence the Acting President of the Board of Aldermen, shall call the Board to order, the Clerk shall call the roll of members and announce whether or not a quorum is present. A majority of the members elected to the Board of Aldermen shall constitute a quorum. If a quorum not be present, a smaller number may lawfully adjourn the meeting from day to day until a quorum is present.

(Prior Code, § 110.190) (Ord. 146, passed 10-1-1970)

§ 32.33 ABSENCE FROM MEETINGS; FINE; DISMISSAL.

(A) No member of the Board shall absent himself or herself from any regular meeting, adjourned meeting, or special meeting, after due notice thereof, unless he or she be sick and unable to attend or otherwise prevented by circumstances beyond his or her control. Any member absenting himself or herself without such excuse shall be fined not less than \$1 nor more than \$5, unless such fine be remitted by a majority of the other members of the Board. The fine imposed shall be assessed by motion duly seconded and carried by a majority vote of the remaining members of the Board.

(B) Whenever any member shall absent himself or herself for three or more successive meetings of the Board, whether regular, adjourned, or special meetings, without reasonable excuse for such absence, the Board of Aldermen, by a majority vote of all the members elected thereof, may expel such member and declare his or her office vacant.

(Prior Code, § 110.200) (Ord. 146, passed 10-1-1970)

§ 32.34 CHIEF OF POLICE AND CITY OFFICIALS ATTENDANCE AT ALDERMEN MEETINGS.

The Chief of Police and other city officials shall attend such meetings and give such reports on their office as requested by the Board.

(Prior Code, § 110.210) (Ord. 146, passed 10-1-1970; Ord. 315, passed 6-4-2002)