

THE FOURTH CLASS CITY ACT (EXCERPT)
Act 215 of 1895

VACANCIES IN OFFICE.

85.14 Resignations.

Sec. 14. Resignation of officers shall be made to the council.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3001;—CL 1915, 2917;—CL 1929, 1841;—CL 1948, 85.14.

85.15 Office declared vacant.

Sec. 15. If any officer shall cease to be a resident of the city, or if elected in and for a ward, shall remove therefrom during his term of office, the office shall thereby be vacated. If any officer shall be a defaulter the office shall thereby be vacated.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3002;—CL 1915, 2918;—CL 1929, 1842;—CL 1948, 85.15.

85.16 Office declared vacant; failure to file oath or bond.

Sec. 16. If any person elected or appointed to office shall fail to take and file the oath of office, or shall fail to give the bond or security required for the due performance of the duties of his office, within the time herein limited therefor, the council may declare the office vacant, unless previous thereto he shall file the oath and give the requisite bond or security.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3003;—CL 1915, 2919;—CL 1929, 1843;—CL 1948, 85.16.

85.17 Vacancies; filling.

Sec. 17. In case any vacancy occurs in the office of mayor, or in any other elective office, except justice of the peace, constable and school trustee, as hereinafter provided, the council may fill such vacancy by appointment at any time within 20 days after such vacancy occurs, or may, within such time, call a special election for the purpose of filling such vacancy, as they may deem for the best interest of the city. Vacancies in the office of justice of the peace and constable shall be filled at the next annual election or at a special election called for that purpose. Vacancies in any appointive office shall be filled within 20 days after such vacancy occurs, by the mayor by and with the consent of the council.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3004;—CL 1915, 2920;—CL 1929, 1844;—CL 1948, 85.17.

85.18 Vacating officer; liabilities.

Sec. 18. The resignation or removal of any officer shall not, nor shall the appointment or election of another to the office, exonerate such officer or his sureties from any liability incurred by him or them.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3005;—CL 1915, 2921;—CL 1929, 1845;—CL 1948, 85.18.

85.19 Property turned over to successor; penalty.

Sec. 19. Whenever any officer shall resign or be removed from office, or the term for which he shall have been elected or appointed shall expire, he shall, on demand, deliver over to his successor in office all the books, papers, moneys and effects in his custody as such officer, and in any way appertaining to his office; and every person wilfully violating this provision shall be deemed guilty of a misdemeanor, and may be proceeded against in the same manner as public officers may be proceeded against for the like offense, under the general laws of this state now or hereafter in force and applicable thereto; and every officer appointed or elected under this act shall be deemed an officer within the meaning and provisions of such general laws of the state.

History: 1895, Act 215, Eff. Aug. 30, 1895;—CL 1897, 3006;—CL 1915, 2922;—CL 1929, 1846;—CL 1948, 85.19.