

# **DUNKIRK CITY CHARTER - ARTICLE II**

## **ARTICLE II Elective and Appointive Offices**

### **§ 2.00. Elective Officers**

The elective officers of the City shall be the Mayor, Council Member at Large, Four (4) Council members, the City Judge, the City Treasurer and three (3) Assessors.

### **§ 2.01. Terms of Elective Officers.**

The Mayor shall be elected for a four (4) year term; the City Judge shall be elected for a ten (10) year term, the five (5) Council members, City Treasurer and three (3) Assessors shall be elected for a two (2) year term. All terms of office shall commence January 1, 1978 and thereafter on the first day of January of the year following their election.

### **§ 2.02. Residence Requirements of Elective Officers.**

Each elective officer must be a resident of the City at the time of the election and shall continue to be a resident of the City during the term of office. If an elective officer ceases to be a resident of the City, the office shall immediately become vacant.

Each of the four wards of the City shall be represented by a Council member. Each Council member shall be a resident of the ward he or she represents but shall be elected at large. If a Council member elected to represent a particular ward ceases to be a resident of that ward, that office shall immediately become vacant.

### **§ 2.03. Appointive Officers.**

The appointive officers of the City shall be appointed by the Mayor with the consent of the Common Council and shall be the City Attorney, Director of Public Works, Chief of Police, Fire Chief, First Assistant Fire Chief, Second Assistant Fire Chief, City Clerk, Fiscal Affairs Officer, Director of Development, Housing, Building and Zoning Officer, Sealer of Weights and Measures, and such other officers as may be created by amendment to this Charter.

### **§ 2.04. Terms of the Appointive Officers.**

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The appointive officers shall serve at the pleasure of the Mayor except the Fire Chief, First Assistant Fire Chief and Second Assistant Fire Chief, who shall each serve for a term of two years.

The Chief of Police and the Housing, Building and Zoning Officer shall be selected from the competitive class of Civil Service. The initial term of all appointive officers shall commence January 1, 1978.

### **§ 2.05. Vacancies.**

Any vacancy in an elective office shall be filled by the Common Council. Any person appointed to an elective office to fill a vacancy shall have the same qualifications as are required of a person elected to that office.

A vacancy in the Common Council shall be filled by the Common Council within thirty (30) days of the time when such vacancy occurs. The appointee shall serve until the commencement of the political year next succeeding the first general election after the happening of the vacancy at which a successor may be elected, and the vacancy shall be filled at such election for the unexpired term. Any person appointed to fill a Common Council vacancy shall be a member of the same political party by which such person was elected and may be nominated by the City Committee of such party. Such City Committee nomination shall be considered a non-binding recommendation. In the event the person vacating the Common Council office was elected with no party affiliation, the Common Council may appoint any qualified elector.

Any vacancy in an appointive office shall be filled by the Mayor with the consent of the Common Council for the remainder of the unexpired term. Any person appointed to an appointive office to fill a vacancy shall have the same qualifications for that office as required by this Charter.