

Mayoral Vacancies

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Because their duties and roles differ so widely, the resignations of mayors and aldermen will have different impacts on municipalities.

A mayoral vacancy is far more problematic than the resignation of an alderman. The mayor is often the city's CEO and a vacancy in this office can delay important duties that are essential for day-to-day operation of the local government. There is only one mayor in town. Consequently, when the mayor resigns, there is a 100 percent vacancy in this crucial municipal office. For this reason, cities need to act quickly to fill mayoral vacancies. Delay carries with it opportunities for confusion and serious problems to occur.

The filling of aldermanic vacancies, on the other hand, can be done at a more deliberate pace. When a single alderman resigns his office, the remaining aldermen can carry on and perform the legislative duties. Aldermanic vacancies, therefore, are somewhat less imperative than those involving the mayor.

Many city charters recognize this fact and arrange for the appointment of a vice mayor – who immediately assumes the office of mayor upon the resignation of the mayor. This assures continuity in the administration of the local government. Ideally, mayors keep their vice mayors informed concerning the administrative details and initiatives of their office, so that the vice mayor is “up to speed” if ever called upon to assume the mayor's office.

In some cities, there is no charter provision for the appointment of a vice mayor. In these municipalities, there is no one immediately available to perform the mayor's duties when a vacancy occurs. Consequently, a mayoral vacancy may not be filled for days or weeks while various contenders for the office solicit support for their appointment to the position. In these cities, there is no guarantee that a mayoral vacancy will be filled by someone who has been prepared for the office.

Whether filled by a vice mayor or by any other member of the board, a vacancy in the office of mayor usually results in two board vacancies – the mayor and that of the alderman who is appointed to fill the mayoral vacancy (the exception being those instances where the mayoral vacancy may be filled by persons who are not otherwise members of the board).

For this reason, the first order of business for a newly appointed mayor is to have the board declare a vacancy in his or her former aldermanic seat.

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