

Aldermanic Vacancies

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://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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In the vast majority of Tennessee cities, a vacancy in the office of mayor must be filled by a member of the municipality's governing board. This means that there are only a handful of people who might conceivably be promoted to fill a mayoral vacancy in your town.

On the other hand, aldermanic vacancies may be filled by any legally qualified resident of the community – meaning that there may be thousands of people who might potentially fill a vacant position. This fact tends to slow down the replacement of a resigning alderman, as the board may want time to advertise, recruit, interview and examine numerous possible contenders.

While the filling of aldermanic vacancies is not usually as crucial as those in the office of mayor, cities must avoid delaying the process longer than is necessary. There are two reasons for this:

- Some city charters establish a strict time limit for the filling of board vacancies. Failure to meet these deadlines would be a violation of the charter that municipal officials are sworn to uphold. In some communities, failure to meet the appointment deadline requires the board to hold a costly special election to fill the vacancy.
- Particularly in those municipalities where board members are elected by district or ward, a prolonged aldermanic absence deprives citizens of the representation to which they are entitled. Citizens likely will not appreciate the passage of important legislation that occurred while they were either unrepresented or under-represented at city hall. Better to delay such actions until after the vacancy is filled, if possible.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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