

ORDINANCE NO. 1189

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO THE FILLING OF VACANCIES ON THE CITY COUNCIL; TO AMEND SPRINGFIELD MUNICIPAL CODE CHAPTER 1, ARTICLE 1, SECTION 1-105; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. That Chapter 1, Article 1, Section 1-105 of the Springfield Municipal Code is amended to read as follows:

§1-105 ELECTED OFFICIALS; VACANCY; GENERAL PROVISIONS.

(A) The office of a member of the City Council shall be vacant upon the happening of any of the events specified in Neb. RS 32-560, except as provided in Neb. RS 32-561.

(B) In the case of any vacancy in the office of Mayor, or in case of his or her disability or absence, the President of the Council shall exercise the office of Mayor for the unexpired term until such vacancy is filled or such disability is removed, or in case of temporary absence, until the Mayor returns. If the President of the Council assumes the office of Mayor for the unexpired term, there shall be a vacancy on the Council. *(Ref 32-568(4) RS Neb.)*

(C) Any vacancy on the City Council shall be filled as provided in division (D) below. (Neb. RS 32-568)

(D) (1) (a) Except as otherwise provided in division (D)(2) or (D)(3) below or Neb. RS 32-568, vacancies in city elective offices shall be filled by the Mayor and Council for the balance of the unexpired term. Notice of a vacancy, except a vacancy resulting from the death of the incumbent, shall be in writing and presented to the Council at a regular or special meeting and shall appear as a part of the minutes of such meeting. The Council shall at once give public notice of the vacancy by causing to be published in a newspaper of general circulation within the city or by posting in three public places in the city the office vacated and the length of the unexpired term.

(b) The Mayor shall call a special meeting of the Council or place the issue of filling such vacancy on the agenda at the next regular meeting, at which time, the Mayor shall submit the name of a qualified registered voter to fill the vacancy for the balance of the unexpired term. The regular or special meeting shall occur upon the death of the incumbent or within four weeks after the meeting at which such notice of vacancy has been presented. The Council shall vote upon the nominee, and if a majority votes in favor of the nominee, the vacancy shall be declared filled. If the nominee fails to receive a majority of the votes, the nomination shall be rejected and the Mayor shall, at the next regular or special meeting, submit the name of another qualified registered voter to fill the vacancy. If the subsequent nominee fails to receive a majority of the votes, the Mayor shall continue at that meeting to submit the names of qualified registered voters in nomination, and the Council shall continue to vote upon the nominations at such meeting until the vacancy is filled. The Mayor shall cast his or her vote for or against the nominee in case of a tie vote of the Council. All Council members present shall cast a ballot for or against the nominee. Any member of the Council who has been appointed to fill a vacancy on the Council shall have the same rights, including voting, as if that person were elected.

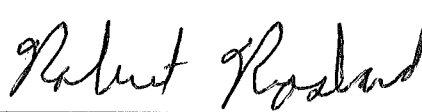
(2) The Mayor and Council may, in lieu of filling a vacancy in a city elected office as provided in division (D)(1) above, call a special city election to fill such vacancy.

(3) If vacancies exist in the offices of one-half or more of the members of the City Council, the Secretary of State shall conduct a special city election to fill such vacancies. Candidates for such special election shall file a candidate filing form pursuant to Neb. RS 32-606.01.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

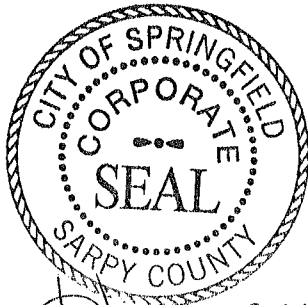
Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 17th day of June 2025.

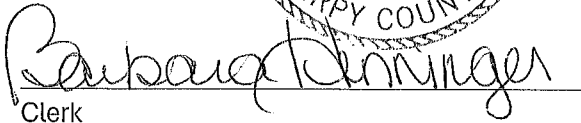


Mayor

(SEAL)



Attest:



Clerk