

ARTICLE C. CENSURE OF ELECTED OFFICIALS

SECTION:

1-4C-1: Purpose

1-4C-2: Censure Defined

1-4C-3: Complaint Procedure

1-4C-4: Censure

1-4C-1: PURPOSE:

Elected officials may pursue formal action in the form of censure to deter violations of this code and violations of adopted city policies. (Ord. 5585, 12-14-2020)

1-4C-2: CENSURE DEFINED:

Censure is a formal reprimand of a council member or the mayor for specified conduct that violates this code or adopted city policies. Censure should not follow an occasional error in judgment, which occurs in good faith and is unintentional. Censure carries no fine or suspension of the rights of the member or mayor as an elected official. (Ord. 5585, 12-14-2020)

1-4C-3: COMPLAINT PROCEDURE:

A. Any member of the city council may file a complaint concerning an alleged violation of this code or of city policy by a council member or the mayor. The complaint shall provide specific allegations and supporting evidence of specific conduct alleged to violate this code or adopted city policy. The complaint shall be filed with the mayor, or if the mayor is involved, with the mayor pro tem.

B. The mayor or mayor pro tem shall forward the complaint to the city attorney, police chief, human resources director, or other proper authority to conduct an investigation to determine whether the allegations in the complaint violate this code or city policy.

C. Within thirty (30) calendar days from the date a complaint is filed, the mayor or mayor pro tem shall produce a written report stating whether sufficient evidence exists to warrant censure. A resolution recommending censure shall be placed on the city council agenda for a vote within fourteen (14) days of the date of the report. If the report is in the negative, the complaint shall not proceed to censure. A negative report may recommend corrective action be taken by the accused to prevent further issue. (Ord. 5585, 12-14-2020)

1-4C-4: CENSURE:

A. A city council decision to censure shall be adopted by resolution. The resolution shall list the findings, based on sufficient evidence that the person accused has engaged in conduct that constitutes a violation of this code or adopted city policy. The resolution shall be approved by five (5) affirmative votes of the council. The accused council member or mayor may participate in deliberations. The accused council member may vote on the censure resolution.

B. Immediately following an affirmative vote to censure, the mayor may address the censured council member by stating that the censured council member should take notice of the censure and govern themselves accordingly. The mayor pro tem may make this announcement if the mayor is the subject of the censure. (Ord. 5585, 12-14-2020)