



ORDINANCE 25-352

AN ORDINANCE PROVIDING PROCEDURES TO REMOVE BOARD AND COMMITTEE MEMBERS

WHEREAS, the Town of Cornersville Charter provides for procedures to remove the Mayor and Aldermen; and,

WHEREAS, there are no procedures to remove committee or board members other than the Mayor and Aldermen; and,

NOW, THEREFORE BE IT ENACTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CORNERSVILLE, TENNESSEE AS FOLLOWS:

SECTION 1. That any other duly enacted resolution or ordinance in conflict with this ordinance is hereby repealed in its entirety.

SECTION 2. Removal of the Mayor or Aldermen is governed by the Town of Cornersville Charter, Section 13 on page C-6 which states,

SECTION 13. The Mayor or any Alderman may be removed from office for any malfeasance in office, crime or other offense against either the laws of the State, or act prohibited by ordinances of the Town, or for other misconduct showing unfitness for office, failure to attend all Board meetings for three (3) consecutive months, or for permanent disability, upon unanimous vote of all Aldermen if removal of the Mayor is sought, and all other Aldermen if removal of an Alderman is sought. Proceedings for removal of the Mayor or any Alderman shall be instituted upon specific charges in writing, made by any person or persons to the Board. When in the opinion of a majority of Aldermen the charges are sufficient to warrant a hearing, the Board shall cause a copy of the written charges to be served by any policeman upon the accused, accompanied by written notice stating the time and place of the hearing, when the accused shall have the right to process and subpoena of the Board to compel attendance of witnesses in the accused's behalf. At the termination of the hearing a roll call vote shall be taken of the Alderman, exclusive of the accused, and the names of the Aldermen voting shall be recorded in the journal of the meeting, and in the event of a vote for removal, the term of the accused shall cease without further action. Any person removed under the provisions

of this section, shall have the remedy of appeal or writ of certiorari to the proper court of appellate jurisdiction, but pending the determination of the writ of certiorari or appeal, such person's office shall be vacant and the Board shall proceed to fill such vacancy in the same manner as though such vacancy occurred for any other cause.

SECTION 3. Excluding the Mayor or Aldermen, any appointed committee or board member may be removed from office for, but not limited to, any malfeasance in office, crime or other misconduct showing unfitness for office, failure to attend all Board meetings for three (3) consecutive months, permanent disability, dishonesty, belligerent behavior, failure to follow town policy, or dereliction of duty.

SECTION 4. If an Alderman believes one or more of these issues is/are present, he or she shall institute proceedings for removal of the committee or board member with specific charges in writing to the Board of Mayor and Aldermen. When in the opinion of a majority of Aldermen the charges are sufficient to warrant a hearing, the Board shall cause a copy of the written charges to be served by any policeman upon the accused, accompanied by written notice stating the time and place of the hearing, when the accused shall have the right to process and subpoena of the Board to compel attendance of witnesses in the accused's behalf.

At the termination of the hearing upon a motion and a second, a roll call vote shall be taken of the Alderman, and the names of the Aldermen voting shall be recorded in the journal of the meeting, and in the event of a majority vote of the Aldermen present for removal, the term of the accused shall cease without further action.


SECTION 5. Any person removed under the provisions of this section, shall have the remedy of appeal or writ of certiorari to the proper court of appellate jurisdiction, but pending the determination of the writ of certiorari or appeal, such person's office shall be vacant and the Board shall proceed to fill such vacancy in the same manner as though such vacancy occurred for any other cause, however, the appointment to fill such vacancy shall be temporary pending appeal.

SECTION 6. If any section, clause, provision or portion of this Ordinance is for any reason declared invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Ordinance that is not itself invalid or unconstitutional.

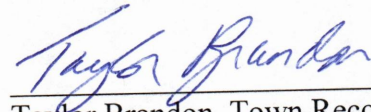
SECTION 7. This Ordinance shall take effect and be in full force and effect immediately after its final passage, the public welfare demanding it.

PASSED FIRST READING: July 3rd, 2025

PASSED SECOND READING AND ADOPTED: August 7th, 2025

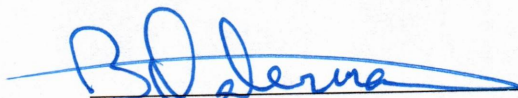


John Luna, Mayor



Taylor Brandon, Town Recorder

Approved as to legality and form:



Billy Ostermann, Town Attorney