**RESOLUTION OF THE MAYOR AND ALDERMEN OF THE**

**CITY OF SAVANNAH IN SUPPORT OF THE GENERAL ASSEMBLY**

**ENACTING A LOCAL LAW AMENDING THE CITY CHARTER**

**TO PROVIDE FOR REMOVAL OF ELECTED OFFICIALS**

**WHEREAS**, Section 2-106 of the Charter of the City of Savannah constitutes the Code of Ethics ordinance for City of Savannah elected officials; and

**WHEREAS**, Section 2-106-16 provides that any elected city official whom knowingly violates the Code of Ethics shall be subject to public reprimand or censure by majority vote of the Mayor and Aldermen; and

**WHEREAS**, the Code of Ethics does not contemplate any more severe sanction for ethical code transgressions, up to and including removal from office; and

**WHEREAS**, the City of Savannah has been duly certified as a City of Ethics by the Georgia Municipal Association; and

**WHEREAS**, the Mayor and Aldermen wish to not only maintain such distinction but to take additional steps to improve transparency in city governance, which includes the ability to impose more severe sanctions on members of the City Council found to be in violation of the Code of Ethics; and

**WHEREAS**, the General Assembly is vested with authority to enact a local law amending the City’s Charter to empower the Mayor and Aldermen to undertake removal of a councilmember for certain causes; and

**WHEREAS**, the Mayor and Aldermen of the City of Savannah consider it to be in the best interests of the citizens of Savannah to amend the Code of Ethics to provide for removal of elected officials in addition to any recall remedies provided for by law;

**NOW**, **THEREFORE**, be it resolved by the Mayor and Aldermen of the City of Savannah that the City does hereby adopt a resolution requesting that the General Assembly amend the City Charter by enactment of a local law providing for removal of elected officials under certain circumstances and pursuant to a specified procedure. Specifically, the Mayor and Aldermen request that a new subsection \*\* be inserted immediately following Section 2-106-16\*:

\*\* Grounds for Removal. In addition to public reprimand or censure, the mayor and any alderman shall be subject to removal from office for any of the following causes:

(1) Malpractice, misfeasance, or malfeasance in office;

(2) Failure at any time to possess any of the qualifications of office as provided by the City Charter or by law;

(3) Failure to maintain continuously the residency within the district or districts from which elected;

(4) Violation of the conflicts of interest and standards of conduct provided in the Charter or City Code;

(5) Violation of the oath of office;

(6) Abandonment of office or ceasing to perform the duties thereof; or

(7) Failure for any cause to perform the duties of office as required by the provisions herein or by law.

Procedures for removal. Removal of the mayor or any alderman pursuant to this subsection shall be accomplished by the following method. In the event that the mayor or any alderman is ought to be removed by action of the council, an impartial panel shall conduct a hearing and render a decision on the matter. Such elected official sought to be removed shall be entitled to a written notice specifying the ground(s) for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The council shall provide by ordinance or resolution for the appointment of an impartial panel and the manner in which such hearings shall be held to render a decision. Any elected official sought to be removed from office as herein provided shall have the right of appeal from the decision to the Superior Court of Chatham County. Such appeals shall be governed by the same rules as govern appeals to the superior court from the probate court.

Approved this\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

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Van R. Johnson II, Mayor

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Mark Massey, Clerk of Council