



1.506 Method of Filling Vacancies in Office

Municipal Officials Handbook, page 24

A vacancy in an elected municipal office must be filled by *majority vote of the council within 30 days* of the occurrence of the vacancy. (7-4-4112, MCA)

The person appointed to fill the vacancy must possess the required qualifications for the office, including residency in the ward of a vacant, ward based council seat.

The person appointed to fill the vacancy may serve until the expiration of the term of office of the council member who created the vacancy, except that the position shall be open for nomination and election at the next *available* municipal election. If a vacancy occurs during the first two years of a four year term, the position will be open for election in the next *available* election and the successful candidate will serve the unexpired term of the office (a two year term for the successful candidate). If the vacancy occurs during the second half of a four year term of office, the person appointed to fill the vacancy will serve until the expiration of the original term of office, thus maintaining the usual overlapping terms of council office.

Sponsored by [MSU Extension](#)