

Bond Case Briefs

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MUNICIPAL GOVERNANCE . - ALABAMA

Melton v. Bowie

Supreme Court of Alabama - October 25, 2019 - So.3d - 2019 WL 5485271

Mayor brought action against city council members, in their official capacities, for a declaration that city ordinance giving the council power to appoint the city's tax collector, chief of police, and chief of the fire department, which was an ordinance that the council passed over the mayor's veto, violated state statute on powers of municipal mayors, and mayor sought preliminary and permanent injunctions preventing the implementation of the ordinance.

The Circuit Court granted council members' motion to dismiss for failure to state a claim. Mayor appealed.

The Supreme Court held that ordinance did not violate statute on powers of municipal mayors.

City ordinance giving the council power to appoint the city's tax collector, chief of police, and chief of the fire department did not violate statute on powers of municipal mayors; statute provided that mayors had the power to appoint officers whose appointment was not otherwise provided for by law.