

Hideaway is a Type B General Law City

Type B General Law Cities Type B general law cities operate under the aldermanic form of government in which the “board of aldermen” is the governing body of the city. The board contains a mayor and five aldermen, all of whom are elected at-large. Id. § 23.021. A quorum consists of either the mayor and three aldermen or, if the mayor is absent, four aldermen. Id. § 23.028. The governing body must elect one alderman to serve as mayor pro tem for a term of one year at the first meeting of each new governing body. The mayor is the president of the governing body. Id. § 23.027. The aldermen, mayor, and marshal serve one year terms unless the governing body passes an ordinance allowing for staggered two year terms. Id. § 23.026. Can the mayor of a Type B city vote? There are two schools of thought: (1) that, because the mayor in a Type B city counts towards a quorum, he or she votes; and (2) that, because there is no specific provision governing the issue, Local Government Code Section 51.035 “borrows” the applicable Type A city provision, and the mayor does not vote. Because there is no definitive answer, our advice is to follow prior practice and/or to consult with your city attorney in making a final decision. The election for the aldermen is held annually on a uniform election date and is ordered by the mayor or two aldermen. Id. § 23.023. To be an alderman or mayor, the candidate must be a qualified voter and must have resided within the city for at least six months prior to the election date. Id. § 23.024; see also TEX. ELEC. CODE § 141.001(providing eligibility requirements for public office in Texas). Generally, the terms of office for the aldermen are one year, unless two-year staggered terms are provided for by ordinance. TEX. LOC. GOV'T CODE § 23.026.