

**60-1207. Suspension of officer during hearing.** Upon application to the court before which the petition for ouster is pending, an officer may be suspended from performing any of the officer's duties, pending a final hearing and determination of the matter; and the authority having the power of appointment to fill vacancies in such office, shall upon such suspension appoint some proper person temporarily to fill said office and to carry on its duties until such matter shall be finally determined or until the successor of the officer so suspended shall be elected and shall have qualified. No person shall be suspended from office under the provisions of this act until at least seven days' notice of the application for the order of suspension shall be served upon such person, which notice shall set forth the time and place of the hearing of the application and the officer shall have the right to appear and make any defense that the officer may have and shall be entitled to a full hearing upon the charges contained in the complaint and upon the application for the order. No suspension shall be made except upon finding of good cause therefor. If on the final hearing the officer is not removed from office, the officer shall receive the salary allowed by law during the time of the officer's suspension. The officer so temporarily appointed shall receive the same salary as is provided by law to be paid the officer filling such position.

**History:** L. 1963, ch. 303, 60-1207; L. 2010, ch. 135, § 173; July 1.