



Rochester Hills

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Master

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Final Action:

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Notes: 7/21/08 CC Meeting RES0240-2008

Sponsors:

Enactment Date:

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,07/21/08 Resolution.pdf

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Contact:

Hearing Date:

Drafter:

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History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	07/21/2008	Adopted by Resolution				Pass

Text of Legislative File 2008-0375

Title

Adoption of the Amended Ballot Language for the Proposed City Charter Amendment to Require that the Mayor or Candidate for Mayor Shall Not be in Default to the City to be placed on the November 4, 2008 General Election Ballot

Body

WHEREAS, the City Council of the City of Rochester Hills desires to initiate a proposed amendment to City Charter Section 8.2, Elections and term of office, to provide that the Mayor or candidate for Mayor shall not be in default of payment of any tax or assessment owed to the City.

THEREFORE, the City Council of the City of Rochester Hills resolves:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted under the Home Rule Cities Act, MCL 117.1, et seq, proposes to amend the City of Rochester Hills Charter to amend Charter Section 7.2, Qualifications.

2. Provisions of existing Section 8.2 of the City of Rochester Hills Charter to be amended if the proposed amendment is adopted now read as follows:

The Mayor shall be elected to a four-year term. The Mayor shall be a registered elector and a resident of the City for at least one year immediately prior to the final date for filing nominating petitions. The term of office of the Mayor shall commence on the second Monday next following the date of the regular City election at which he or she was elected.

3. As amended, Section 8.2 of the City of Rochester Hills Charter would read as follows:

The Mayor shall be elected to a four-year term. The Mayor shall be a registered elector and a resident of the City for at least one year immediately prior to the final date for filing nominating petitions. The Mayor or a candidate for Mayor shall not be in default of payment of any tax, assessment or obligation owed to the City. The term of office of the Mayor shall commence on the second Monday next following the date of the regular City election at which he or she was elected.

4. The purpose of the proposed Charter amendment shall be stated on the ballot as follows:

A proposal to amend the City Charter by modifying Section 8.2. This section sets forth the qualifications for Mayor. If adopted, the amendment will provide that the Mayor or a candidate for Mayor shall not be in default of payment of any tax, assessment or obligation owed to the City.

5. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for the Governor's approval, and transmit a copy of the foregoing statement of purpose of the proposed Charter amendment to the Michigan Attorney General for the Attorney General's approval, as required by law.

6. The proposed Charter amendment shall be submitted to the qualified electors of this City at the general election to be held in the City of Rochester Hills on Tuesday, November 4, 2008, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the proposed Charter amendment to a vote of the electors as required by law.

7. The proposed amendment shall be submitted to the electors in the following form:

**PROPOSED CITY CHARTER AMENDMENT TO
REQUIRE THAT THE MAYOR OR CANDIDATE FOR
MAYOR SHALL NOT BE IN DEFAULT TO THE CITY**

A proposal to amend the City Charter by modifying Section 8.2. This section sets forth the qualifications for Mayor. If adopted, the amendment will provide that the Mayor or a candidate for Mayor shall not be in default of payment of any tax, assessment or obligation owed to the City.

Shall the City of Rochester Hills Charter be amended to modify Section 8.2 to provide that the Mayor or a candidate for Mayor shall not be in default of payment of any tax, assessment or obligation owed to the City?

Yes ___

No ___

8. The proposed Charter amendment shall be published in full together with the existing Charter provision that will be altered or abrogated thereby as part of the election notice not less than 10 days prior to the election.

9. The canvass and determination of the votes on the proposed Charter amendment shall be made in accordance with the laws of the State of Michigan and the City of Rochester Hills Charter.

10. This resolution is intended to supersede prior resolution RES0240-2008 adopted by Council on July 21, 2008.