



# Rochester Hills

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## Master

**File Number: 2008-0374**

**File ID:** 2008-0374

**Type:** Administration

**Status:** To Council

**Version:** 1

**Reference:** 2008-0374

**Controlling Body:** City Council  
Regular Meeting

**File Created Date :** 07/16/2008

**File Name:** Ballot Language - Felony Conviction, CC Forfeits  
Office

**Final Action:**

**Title label:** Approval of the ballot language for the proposed City Charter Amendment to Provide that Upon Felony Conviction, a Councilmember Forfeits Office to be placed on the November 4, 2008 General Election ballot

### Notes:

### Sponsors:

**Enactment Date:**

**Attachments:** Agenda Summary.pdf

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Drafter:**

**Effective Date:**

## 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					

## Text of Legislative File 2008-0374

### Title

Approval of the ballot language for the proposed City Charter Amendment to Provide that Upon Felony Conviction, a Councilmember Forfeits Office 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 the City Charter to add Section 7.10, Felony Conviction, to provide that upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacant.

**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 add Charter Section 7.10, Felony Conviction.

2. Provisions of new Section 7.10 to be added to the City of Rochester Hills Charter if the proposed amendment is adopted would read as follows:

Upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacant.

Upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacant.

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

A proposal to amend the City Charter by adding Section 7.10. If adopted, this new section will provide that upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacated.

4. 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.

5. 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.

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

**PROPOSED CHARTER AMENDMENT TO  
PROVIDE THAT UPON FELONY CONVICTION,  
A COUNCILMEMBER FORFEITS OFFICE**

A proposal to amend the City Charter by adding Section 7.10. If adopted, this new section will provide that upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacated.

Shall the City of Rochester Hills Charter be amended to provide that upon a Councilmember's conviction of a felony, the Councilmember's office shall be deemed forfeited and vacant?

Yes \_\_\_

No \_\_\_

7. 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.

8. 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.