



Rochester Hills

1000 Rochester Hills Dr.
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Master

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Notes: 7/14/08 CC Meeting RES0220-2008
7/21/08 CC Meeting RES0243-2008

Sponsors:

Enactment Date:

Attachments: Agenda Summary.pdf ,072108 Agenda Summary.pdf ,072108 Resolution.pdf ,072108 Resolution (Revised).pdf ,071408 Agenda Summary.pdf ,071408 Resolution.pdf ,063008 Agenda Summary.pdf ,Charter Amendment Language.pdf ,Proposal Language - Council not in default.pdf ,Proposal Language - Judge Qualifications.pdf ,Proposal Language - Council Felony.pdf ,Proposal Language - Mayor Felony.pdf ,Proposal Language - Mayor not in default.pdf ,CoNSTRuCt Spreadsheet Excerpt.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	06/30/2008	Discussed				
2	City Council Regular Meeting	07/14/2008	Adopted by Resolution				Pass
3	City Council Regular Meeting	07/21/2008					
3	City Council Regular Meeting	07/21/2008	Adopted by Resolution				Pass

Text of Legislative File 2008-0342

Title

Adoption of the Amended Ballot Language for the proposed City Charter Amendment to Require that a Councilmember or Council Candidate 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 7.2, Qualifications, to provide that a Councilmember or Council candidate 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 7.2 of the City of Rochester Hills Charter to be amended if the proposed amendment is adopted now read as follows:

Each Councilmember shall be a registered elector in the City and shall have been a resident of the City for one year immediately prior to the final date of filing of nominating petitions. A Council candidate shall be a resident of the District in order to represent a District and shall maintain residency in the District during the term of office.

3. As amended, Section 7.2 of the City of Rochester Hills Charter would read as follows:

Each Councilmember shall be a registered elector in the City and shall have been a resident of the City for one year immediately prior to the final date of filing of nominating petitions. A Council candidate shall be a resident of the District in order to represent a District and shall maintain residency in the District during the term of office. A Councilmember or Council candidate shall not be in default of payment of any tax, assessment or obligation owed to the City.

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 7.2. If adopted, a Councilmember or Council candidate 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 A COUNCILMEMBER OR COUNCIL
CANDIDATE SHALL NOT BE IN DEFAULT TO THE CITY**

A proposal to amend the City Charter by modifying Section 7.2. This section sets forth the qualifications for City Councilmembers to hold office. If adopted, the amendment will provide that a Councilmember or Council candidate 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 7.2 to provide that a Councilmember or Council candidate 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 RES0243-2008 adopted by Council on July 21, 2008.