

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: CSM 4

ISSUE CATEGORY: Charter Structure & Miscellaneous

SOURCE: City Council

RELATED CHARTER SECTIONS: §9-302 (Appellate Review)

Letter, dated 12/2/10

RELEVANT ORDINANCE SECTION: OBTAIN

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Set forth in detail the right of citizens to appeal decisions, findings, rulings and orders of administrative agencies and officers.

Sec. 9-302. Appellate review.

All final decisions, findings, rulings and orders of any city administrative officer or agency under the constitution or by law, which are judicial or quasi-judicial and affect private rights or licenses, shall be subject to direct review by the courts as provided by law. This review shall include, at a minimum, the determination whether such final decisions, findings, rulings and orders are authorized by law; and, in cases in which a hearing is required, whether the same are supported by competent, material and substantial evidence on the whole record.

✓ This section shall not be construed to diminish the right of any party to direct any immediate legal or equitable remedies in any court or other tribunal.

Deleted: The city shall provide, by ordinance, for the review of administrative decisions of city agencies which are not within the appellate jurisdiction created by other sections of this Charter. ¶

RATIONALE: "The proposed language conforms to the state constitution, article 6, section 28."-City Council's Rationale, Letter, dated December 13, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: