

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 202

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Mayor Bing Administration

RELATED CHARTER SECTIONS: §3-101 (City Elections)

Letter, Rec'd December 21, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S): Michigan Election Law, MCL 168.719

ISSUE/PROPOSAL STATEMENT: Re-number section on city elections. Eliminate special elections to fill vacancies on City Council and Office of Mayor and require nominating petitions be filed in accordance with Michigan Election Law, MCL 168.1, et seq.

Sec. ~~3-101~~ 3-105. City elections.

A regular City general election to fill the elective offices of the City shall be held on the Tuesday after the first Monday of November of 2013 and every fourth year thereafter.

A regular City primary election to nominate candidates for City offices shall be held on the Tuesday after the first Monday of August before the general election.

If a vacancy occurs in the Office of Mayor or a City Council member before the filing deadline for a state general election, the vacancy shall be filled at that election for the remainder of the term. If a vacancy occurs in the Office of Mayor or a City Council thirty (30) days or more before member after the filing deadline for a state general election in the city or special citywide election, the vacancy shall be filled at that next scheduled election for a full term. for the remainder of the unexpired term. When a vacancy occurs in the office of mayor or city council less than thirty (30) days before the filing deadline for a general election in the city or special citywide election, the city council shall order a special primary election for nomination of candidates and a special general election to fill the vacancy for the remainder of the unexpired term. The resolution ordering a special election shall be adopted at least eighty (80) days before the special primary election and at least one hundred twenty (120) days before the special general election. Nominating petitions shall be filed not later than the fourth (4th) Tuesday after adoption of the resolution ordering the special elections. Vacancies occurring on or after March 1st of the year in which city elections are held shall not be filled by a special election. The nominating petitions shall be filed in accordance with Michigan Election Law, MCL 168.1 et seq.

The City Council may submit, by resolution adopted not less than seventy (70) days before any election or special election, submit any proposal to the voters of the City.

RATIONALE: *"Although Michigan Election[Law] is silent, the 1997 Detroit City Charter requires special elections to fill vacancies in the Offices of Mayor and City Council, even though a state general election or a regular City general election is scheduled during the same year. This change will eliminate the requirement to schedule a special primary election and a special general election to fill such vacancies, thereby avoiding the expense associated with special elections."*-Mayor Bing Administration, Letter, Rec'd December 21, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: