

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 220

ISSUE CATEGORY: Government Operations & Structure

SOURCE: Mayor Bing Administration

RELATED CHARTER SECTIONS: §12-107 (Procedure)

Letter, Rec'd December 21, 2010

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S): Michigan Election Law, MCL 168.1 et seq.

ISSUE/PROPOSAL STATEMENT: Rename section. Replace the City Clerk with the Elections Commission and change the time line for City Council action from 30 to sixty (60) days. Recognize that the enactment of a initiative petition and repeal of an ordinance pursuant to a referendum petition must be done in accordance with Charter sections §4-115, §4-116 and §4-119. Relocate the requirement that measures be submitted to voters where City Council fails to enact or repeal the measure to §12-108.

Sec. 12-107. ~~Procedure~~ Time limit for enactment of ordinance.

Upon the report of the ~~clerk~~ Department of Elections that the initiative or referendum petitions are sufficient, and filed within the time limits provided by this Charter, the City may within ~~thirty (30)~~ sixty (60) days:

1. In the case of an initiative petition, enact the ordinance , which is proposed by the petition, in accordance with Section 4-115, 4-116, 4-119 of this Charter;
2. In the case of referendum petition, repeal the ordinance ~~to ,~~ which is set out in the petition refers , in accordance with Section 4-115, 4-116, 4-119 of this Charter.

~~If the City fails to enact or repeal the measure, the measure shall be submitted to the voters.~~

RATIONALE: *“The changes to Sections 12-104, 12-107, and 12-108 clarify the duties of the City Clerk, the City Council, the Mayor, and the Election Commission regarding the right of the People of the City of Detroit to initiate or repeal City ordinances. In addition, the changes make these sections commensurate with Michigan Election Law, MCL 168.1 et seq.” -Mayor Bing Administration, Letter, Rec'd December 21, 2010.*

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES:

