

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GOS 3

ISSUE CATEGORY: Government Operation & Structure

SOURCE: Reginald Cunningham
9/21/09 Email to Blount

RELATED CHARTER SECTIONS: §4-113 (Prohibition on Interference in Administration); §4-109 (Investigation); §4-110 (Investigative Powers)

RELEVANT ORDINANCE SECTION: 2-2-18

RELEVANT LAW(S):

(Refusal to appear, testify, etc.; Aid by Circuit Court of County)

ISSUE/PROPOSAL STATEMENT: Give City Council the power to remove Department Heads for failure to appear before Council if subpoenaed or provide information as requested.

RATIONALE:

ANALYSIS: §4-109 of the Charter give City Council the broad power to investigate any “affairs” of the City or any of its agencies. Pursuant to §4-110 of the Charter, the City Council, in execution of its investigative powers, has the ability to enforce its subpoenas or orders for production of evidence can apply through the “appropriate court.” Also, there is an express prohibition in the Charter against interference of City Council in the affairs and operations of the executive branch, beyond its investigatory powers and enforcement powers regarding subpoenas and orders for production of evidence. §4-113.

DISPOSITION/COMMISSION ACTION:

NOTES: