

**DETROIT CHARTER REVISION COMMISSION**

**PROPOSAL/ISSUE REVIEW SUMMARY**

**ISSUE NUMBER:** GOS 73

**ISSUE CATEGORY:** Government Operations & Structure

**SOURCE:** City Council,

**RELATED CHARTER SECTIONS:** §5-108 (Deputy Mayor)

Letter dated December 2, 2010

**RELEVANT ORDINANCE SECTION:**      **RELEVANT LAW(S):**

---

**ISSUE/PROPOSAL STATEMENT:** Require a written “qualified” medical opinion to establish a temporary disability of the Mayor requiring the deputy Mayor to assume the duties of the Mayor.

Sec. 5-108. Deputy mayor.

By a writing filed with the city clerk, the mayor shall designate a member of the mayoral staff or the director of a department of the executive branch as the deputy mayor. The mayor may terminate the designation without cause by filing a notice of termination with the city clerk.

During the absence or temporary disability as established by a written qualified medical opinion, of the mayor, the deputy mayor shall be acting mayor and shall exercise all the powers and perform all the duties of the mayor to the full extent permitted by law, except that the deputy mayor may not:

1. Exercise any power of appointment to or removal from office, except in an emergency as declared by a two-thirds (2/3) majority of city council members present; or
2. Approve or veto any ordinance or resolution within the first (1st) five (5) days of the seven (7) days allowed under section 4-119 for exercise of the mayor's veto power.

**RATIONALE:** “This language defines “temporary disability” and differentiates it from “absence.” Because the last several Mayors have appointed persons whose permanent job title was “Deputy Mayor,” the Charter Revision Commission may wish to add language requiring that the mayor give official written notice to the clerk, whenever the deputy mayor is acting as mayor. See also the rationale, *supra*, regarding the definition of “absence” under section 2-105. Concerns arose during the previous administration when the mayor was absent for various reasons, as to whether or not the deputy mayor was acting as the mayor during those periods.” -City Council’s Rationale, Letter, dated December 13, 2010.

**ANALYSIS:**

**DISPOSITION/COMMISSION ACTION:**

**NOTES:**

