

CHAPTER 3

ELECTIONS

QUALIFICATIONS OF ELECTORS:

Section 3.1 The residents of the City having qualifications of electors in the State of Michigan shall be eligible to vote in the City when duly registered.

ELECTION PROCEDURE:

Section 3.2 The election of all City officers shall be on a non-partisan basis. The general election statutes shall apply and control all procedures relating to City elections, including qualifications of electors, establishment of precincts, verification of petitions, registration of voters and voting hours. The Clerk shall give public notice of each City election in the same manner as is required by law for the giving of public notice of general elections in the State.

PRECINCTS:

Section 3.3 The election precincts of the City shall remain as they existed on the effective date of this Charter unless altered by the Election Commission according to Statute. The Council shall establish convenient election precincts in accordance with this Charter and Statutes.

ELECTION COMMISSION:

Section 3.4 An Election Commission is hereby created consisting of the City Clerk as Chairman, the City Attorney and the City Assessor. The Election Commission shall appoint the Board of Election Inspectors of each precinct and have charge of all activities and duties required of it by law relating to the conduct of elections in the City. The compensation of the election personnel shall be determined, in advance, by the Council.

REGULAR CITY ELECTION:

Section 3.5 A regular City election shall be held on the first Tuesday in November in each odd numbered year.

SPECIAL ELECTIONS:

Section 3.6 Special elections shall be held when called by resolution of the Council at least forty-nine (49) days in advance of such election or when required by law. Any resolution calling a special election shall set forth the purpose of such election.

ELECTIVE OFFICERS AND TERMS OF OFFICE:

Section 3.7

(a) The elective officers of the City shall be a Mayor and six Councilmen.

~~(b) At each regular City election there shall be elected at large a Mayor and two Councilmen. The term of office of the Mayor shall be for two years and the term of office of the~~

~~Councilmen shall be for four years with all terms commencing at eight o'clock p.m. local time on the Monday next following the regular City election at which they were elected.~~

- (b) At each regular election there shall be elected at large a Mayor and three Councilpersons. The term of office of the Mayor shall be for two years and the term of office of the Councilmen shall be for four years with all terms commencing at eight o'clock p.m. local time on the Monday next following the regular City election at which they were elected.

***Section 3.7 (b) Amended by the electorate at the November 2, 2004 General Election.

NOMINATIONS:

Section 3.8 The candidates for elective office shall be nominated from the City at large by petitions, blanks for which shall be furnished by the City Clerk. Each such petition shall be signed by not less than twenty-five (25) nor more than fifty (50) registered electors of the City and shall be filed with the Clerks office before four o'clock in the afternoon, local time, on the forty-ninth (49th) day preceding each election. Each elector signing shall add his residential street and number and the date of signature. No electors shall sign petitions for more candidates for any office than the number to be elected to such office, and should he do so, the signatures bearing the most recent date shall be invalidated. No petition shall be left for signatures in any public place. When a petition is filed by persons other than the person whose name appears thereon as a candidate, it may be accepted only when accompanied by the written consent of the candidate.

APPROVAL OF PETITIONS:

Section 3.9 The Clerk shall accept only nomination petitions which conform substantially with the forms provided by him and which contain the required number of valid signatures for candidates having these qualifications required for the respective elective City offices as set forth in the Charter. The Clerk shall forthwith after the filing of the petitions, notify in writing any candidate whose petition is then known not to meet the requirements of this section, but the failure to so notify any candidate shall in no way prevent a final determination that the petition does not meet such requirements. Within three days after the last date for filing petitions, the Clerk shall make his final determinations as to the validity and sufficiency of each petition and whether or not the candidate has the qualifications required for his respective elective City office, and shall write his determinations thereof on the face of the petition, and shall notify immediately in writing the candidate whose name appears thereon of his determinations. Any candidate whose petitions are found insufficient may file an amended petition not later than the fortieth (40th) day prior to the election. Thereafter no further petitions may be filed. Withdrawal of a candidates name from consideration on the ballot must be made in writing and in conformance with the time allowed by Statute.

FORM OF BALLOT:

Section 3.10 The ballots for all elections under this Charter shall conform to the printing and number of ballots as required by Statute, except that no party designation or emblem shall appear on any City ballot.

CANVASS OF VOTES:

Section 3.11 The Board of Canvassers designated by Statute as being permitted to Cities for canvass of votes on candidates and issues, shall canvass the votes of all City elections following each regular or special City election at a time and place designated by Statute. The Clerk shall notify in writing the successful candidates of their election and do so immediately upon receipt of the results from the Board of Canvassers.

TIE VOTE:

Section 3.12 If at any City election there shall be no choice between candidates by reason of two or more persons having received an equal number of votes, then the determination of the election of such candidates shall be by lot as provided by Statute.