

PROPOSED ARTICLE IV, THE COUNCIL

Section 4.08 Vacancies

Section 4.14 Effective Date of Resolutions & Ordinances

Present Charter	Proposed Charter	Reasoning
<p>ARTICLE IV THE COUNCIL</p> <p>SECTION 4.08 VACANCIES.</p> <p>Vacancies in Council shall be filled for the unexpired term by an appointment made by a majority vote of all remaining members of Council. Such appointment shall be made within thirty (30) days after the next regular meeting following receipt of official notification of such vacancy. If Council fails to fill the vacancy within said thirty (30) day period, the Mayor shall make the appointment. Persons appointed to fill vacancies must meet the qualification requirements of Section 4.03.</p> <p>If the vacancy occurs in a position to be filled at the next election following occurrence of the vacancy, the appointed member of Council shall serve until the beginning of the terms of the persons elected in that election.</p> <p>If the vacancy occurs in a position not to be filled at the next general election and more than ninety (90) days before the next general election, that position will be placed on the ballot at the next general election for the election of a successor. The appointed member of Council shall serve until, and the elected successor shall take office, immediately following certification by the Board of Elections for the balance of the unexpired term. (Amended Nov. 3, 1981.)</p> <p>SECTION 4.14 EFFECTIVE DATE OF RESOLUTIONS AND ORDINANCES.</p> <p>Each ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the front footage of property to be benefited and specially assessed therefor, any emergency ordinance, necessary for the immediate preservation of public peace, health, safety or welfare, and each resolution shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or</p>	<p>ARTICLE IV THE COUNCIL</p> <p>SECTION 4.08 VACANCIES.</p> <p>Vacancies in Council shall be filled for the unexpired term by an appointment made by a majority vote of all remaining members of Council. Such appointment shall be made within thirty (30) days after the next regular meeting following receipt of official notification of such vacancy. If Council fails to fill the vacancy within said thirty (30) day period, the Mayor shall make the appointment. Persons appointed to fill vacancies must meet the qualification requirements of Section 4.03.</p> <p>If the vacancy occurs in a position to be filled at the next REGULAR MUNICIPAL election following occurrence of the vacancy, the appointed member of Council shall serve until the beginning of the terms of the persons elected in that election.</p> <p>If the vacancy occurs in a position not to be filled at the next REGULAR MUNICIPAL general election and more than ninety (90) days before the next REGULAR MUNICIPAL general election, that position will be placed on the ballot at the next REGULAR MUNICIPAL general election for the election of a successor. The appointed member of Council shall serve until, and the elected successor shall take office, immediately following certification by the Board of Elections for the balance of the unexpired term. (Amended Nov. 3, 1981.)</p> <p>SECTION 4.14 EFFECTIVE DATE OF RESOLUTIONS AND ORDINANCES.</p> <p>Each ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the front footage of property to be benefited and specially assessed therefor, any emergency ordinance, necessary for the</p>	<p>ARTICLE IV THE COUNCIL</p> <p>SECTION 4.08 VACANCIES.</p> <p>This change clarifies that vacancies in the position of Council Member are only to be filled at the next municipal election as opposed to the next general election for state and federal officials.</p> <p>SECTION 4.14 EFFECTIVE DATE OF RESOLUTIONS AND ORDINANCES.</p> <p>Emergency legislation is referred to in Section 4.14 and Section 4.15 of the Charter. This change makes the wording the same in both sections of the charter.</p>

EXHIBIT A

<p>upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be.</p> <p>No other ordinance shall become effective until thirty (30) days after its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be. (Amended Nov. 6, 1973.)</p> <p>SECTION 4.15 EMERGENCY ORDINANCES.</p> <p>An emergency ordinance is an ordinance for the immediate preservation of the public peace, property, health, safety, or welfare in which the emergency is set forth and defined in a preamble thereto.</p> <p>Each emergency ordinance shall require the affirmative vote of at least six (6) members of Council if all members are present, or the affirmative vote of at least five (5) members if one or more members are absent.</p> <p>No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting any franchise shall be enacted as an emergency ordinance. (Amended Nov. 6, 1973.)</p>	<p>immediate preservation of public peace, PROPERTY, health, safety or welfare, and each resolution shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be.</p> <p>No other ordinance shall become effective until thirty (30) days after its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be. (Amended Nov. 6, 1973.)</p>	