

CITY OF IMLAY CITY

**RESOLUTION NO. 2020-22
RESOLUTION TO AMEND SECTION 3.7 OF CHARTER**

At a meeting of the City Commission of the City of Imlay City held on the 5th day of November 2020, this Resolution was offered by Ramirez and supported by Davis:

WHEREAS, the Imlay City Commission has determined that the portion of Section 3.7 of its City Charter referring to a candidate with a deficient nominating petition being allowed five days after the filing deadline to supplement his or her nominating petition does not conform to Michigan election law;

WHEREAS, the Imlay City Commission has determined that the portion of Section 3.7 of its City Charter referring to the deadline to withdraw nomination petitions does not conform with Michigan election law;

WHEREAS, the Imlay City Commission has determined that the portion of Section 3.7 of its City Charter referring to the commission nominating additional qualified candidates does not conform to Michigan election law;

WHEREAS, MCL 117.3b provides that a City may provide by resolution any election provision that is consistent with Michigan election law; and

WHEREAS, the Imlay City Commission desires to amend Section 3.7 of its City Charter, as described above, to conform with Michigan election law.

NOW, THEREFORE, BE IT RESOLVED THAT the provisions of existing Section 3.7 of the Charter of the City of Imlay City to amended to read as follows:

Section 3.7 Approval of Petitions:

The Clerk shall accept only nomination petitions which conform with the form provided and maintained by him or her and which, considered together, contain the required number of valid signatures for candidates having those qualifications required for elective office by this charter. When a petition is filed by persons other than the person whose name appears thereon as candidate, it may be accepted only when accompanied by the written consent of the candidate. The Clerk shall, forthwith after the filing of a petition, notify in writing any candidate whose petition is then known not to meet

CITY OF IMLAY CITY

**RESOLUTION NO. 2020-22
RESOLUTION TO AMEND SECTION 3.7 OF CHARTER**

the requirements of this charter, 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 day for filing petitions, the Clerk shall make his final determination as to the validity and sufficiency of each nomination petition and whether or not the candidate has the qualifications required for office by this charter and shall write his determinations thereof on the face of the petition. The Clerk shall immediately notify in writing the candidate whose name appears thereon of his or her determination. Such notice to any candidate whose petition is found invalid or insufficient shall be delivered by personal messenger if possible.

The names of the candidates who file valid and sufficient nomination petitions shall be certified by the Clerk to the Election Commission to be placed upon the ballot for the next subsequent regular city election or the next special election for the filling of vacancies in office, as the case may be.

Any candidate may withdraw by filing a signed statement to such effect with the city clerk not later than 4:00 P.M. on the third day following the deadline for filing the original petition.

ROLL CALL VOTE:

Ayes: Ramirez, Davis, Demske, Rowden, Sadler, Kempf

Nays: None

Abstain: None

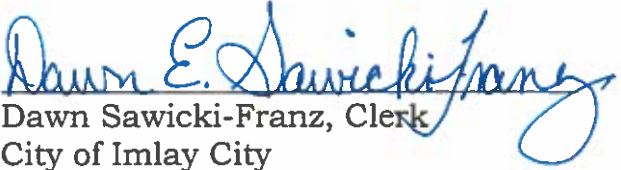
Absent: Villanueva

RESOLUTION DECLARED ADOPTED: November 05, 2020

CITY OF IMLAY CITY

**RESOLUTION NO. 2020-22
RESOLUTION TO AMEND SECTION 3.7 OF CHARTER**

The undersigned Clerk of the City of Imlay City hereby certifies that this Resolution was duly adopted by the City Commission at a meeting held on the 5th day of November 2020, pursuant to proper notice and in compliance with Act No. 267 of the Public Acts of 1976.


Dawn Sawicki-Franz, Clerk
City of Imlay City