

CITY OF CHARLOTTE, COUNTY OF EATON, STATE OF MICHIGAN

RESOLUTION NO. 2021-018

**A RESOLUTION TO APPROVE COUNCIL POLICY 2021-03 PROCEDURE FOR
CONSIDERING AND ADOPTING ORDINANCES**

WHEREAS, on July 25, 2016, the City Council approved Council Policy 2016-03 regarding procedures for considering and adopting ordinances at Council meetings; and

WHEREAS, said policy sunset on September 30, 2020; and

WHEREAS, the City Council desires to make modifications to said policy and eliminate its sunset date;

THEREFORE, BE IT RESOLVED that Council Policy 2021-03 Procedure for Considering and Adopting Ordinances is hereby approved.

The foregoing resolution offered by Council member _____ and supported by _____.

Upon roll call vote, the following voted:

Aye:

Nay:

Absent:

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City of Charlotte at a regularly scheduled meeting held on Monday, February 16, 2021, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature this 16th day of February 2021.

Pearl Tidwell, City Clerk
City of Charlotte

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1. PURPOSE

The purpose of this policy is to set forth the procedure for the adoption of ordinances and shall be considered a part of the rules of the City Council.

2. AUTHORITY

This policy is adopted pursuant to section 5.5 of the Charter of the City of Charlotte.

3. PROCEDURE

3.1 Introduction and First Reading

- 3.1.1** To be placed on the Council agenda, a proposed ordinance must have been prepared by the City Attorney or reviewed by the City Attorney and approved as to form. Ordinances offered for first reading shall be listed in the agenda under “Introduction of Ordinances and Resolutions” unless the ordinance is to be considered for emergency adoption in which case it shall be listed under “Expedited Resolutions and Ordinances.”
- 3.1.2** The Mayor, or the presiding officer in the absence of the Mayor, will announce the first reading of the proposed ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member and then provide an opportunity for discussion by Council members.
- 3.1.3** Motions regarding ordinances shall be made in accordance with Council’s rules of procedure. Except those instances in which an ordinance is declared to be an emergency ordinance, a motion to approve the first reading of an ordinance shall require a second reading of the ordinance at a subsequent Council meeting.
- 3.1.4** In approving the first reading of an ordinance, Council shall set a date for a public hearing on the ordinance. If the ordinance amends the zoning ordinance or the zoning map, a date for a public hearing by the Planning Commission shall be included as a part of the motion approving the first reading. The motion to approve the first reading of an ordinance may

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waive the requirement for a public hearing only if approved by a vote of not less than five members of the Council.

3.2 Public Hearing. Public hearings shall be held in accordance with rules and procedures established by the City Council.

3.3 Second Reading

3.3.1 Unless another date is established by the Council, the second reading of a proposed ordinance, other than an amendment to the zoning ordinance or zoning map, shall take place during the next regular Council meeting following the approval of the first reading. The second reading of an amendment to the zoning ordinance or zoning map shall take place during the next regular Council meeting following a decision by the Planning Commission regarding its recommendation on the amendment. Ordinances offered for second reading shall be listed on the agenda under “Action Items—Resolutions and Ordinances.”

3.3.2 The Mayor, or the presiding officer in the absence of the Mayor, will announce the second reading of the ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member.

3.3.3 Council may take action regarding the approval of the proposed ordinance, may postpone such action to a later date, may refer back to the Planning Commission a zoning ordinance amendment or zoning map amendment or may take no action. If Council votes to postpone action to a later date, it may also direct that a public hearing be held upon reconsideration of the ordinance.

3.4 Subsequent Readings

3.4.1 If, as a consequence of action by the City Council, readings subsequent to the second reading are required prior to final action on a proposed ordinance, those procedures shall be the same as for the second reading.

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3.5 Publication Requirements

3.5.1 Unless additional notices are desired by the City Council, the City Clerk shall publish a notice of any public hearings set by the Council and a notice of the final adoption of the ordinance. Except as otherwise directed in the Charter, state statute or local ordinance, public hearing notices shall be published at least seven days before the date of the hearing. Pursuant to section 5.4 of the Charter and section 3(k) of the Home Rule City Act (P.A. 279 of 1909), notices of public hearings and final adoption of ordinances need not include a true copy of the ordinance but shall include a statement of purpose of the ordinance and the address where a true copy of the ordinance can be inspected.

4. ORDINANCE FORMAT

Ordinances shall be presented in a format approved by the City Attorney and shall contain the following elements in addition to the language of the ordinance itself:

4.1 Preamble. The preamble may be one or more sections and shall provide the following information as appropriate:

- Information about the circumstances giving rise to the ordinance; and
- Statement(s) about the purposes the ordinance is intended to serve.

4.2 Outcomes. When feasible, the ordinance shall contain statements providing information about the outcomes intended to be achieved through its implementation including objective measures for assessing its success.

~~**4.3 Sunset Date.** Unless another date is set or Council votes to waive the requirement for a sunset date, all ordinances except those amending the zoning map shall sunset four years after their adoption.~~

5. POLICY SUPERSEDED

This policy supersedes Council Policy 2016-03.

6. EFFECTIVE DATE

This policy shall be effective upon its approval by the City Council.

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~~7. SUNSET DATE~~

~~This policy shall sunset on September 30, 2020.~~