



Legislation Text

File #: 09-1219, **Version:** 1

Resolution to Establish Methods of Legal Publication Appropriate to Inform the Public As Authorized by City Charter

In November 2009, the voters approved amendment of the Ann Arbor City Charter to allow legal publication of ordinances to be satisfied within 10 days after enactments using one of the following methods:

The full text in a newspaper of general circulation in the City or by posting to the City's website or by any other means or method determined by City Council appropriate to properly inform the general public (Section 7.4)

For a zoning ordinance or zoning ordinance amendment or revision publication in one or more newspapers of general circulation in the City or any other media otherwise permitted by law (Section 7.3)

For ordinances over 500 words in length, a digest, summary or statement of the purpose of the ordinance approved by Council published in a newspaper of general circulation in the City or by posting to the City's website or by any other means or method determined by City Council appropriate to properly inform the general public (Section 7.4)

The charter amendments as approved have an effective date of January 1, 2010.

The attached resolution requests that City Council formally determine the methods of legal publication to be used by the City Clerk to satisfy the requirements of the Charter.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney & Jacqueline Beaudry, City Clerk

Reviewed by: Stephen K. Postema, City Attorney

Approved by: Roger W. Fraser, City Administrator

Whereas, The electors of the City of Ann Arbor approved amendment of Section 7.3 of the Ann Arbor City Charter to allow for publication of zoning ordinances or amendment or revision of such zoning ordinances in one or more newspapers of general circulation in the City or any other media otherwise permitted by law;

Whereas, Michigan law currently mandates publication of zoning ordinances and their amendment in a newspaper of general circulation;

Whereas, The electors of the City of Ann Arbor approved amendment of Section 7.4 of the Ann Arbor City Charter to allow for publication of City ordinances, not subject to Section 7.3. of the Ann Arbor City Charter, in a newspaper of general circulation within the City or by posting to the City's website or by any other means or methods determined by City Council appropriate to properly inform the general public in matters of municipal concerns; and

Whereas, The City Clerk has recommended to City Council that the requirement of legal publication of ordinances of the City of Ann Arbor be satisfied in any of the following ways:

- (a) Posting on the City Website under a new heading "Legal Notices"

- (b) On the City's Community Television Network Cable Television Channel
- (c) Posting on the City Public Announcement Board maintained by the Office of the City Clerk

RESOLVED, That City Council being fully apprised determines that unless other means or methods of legal notice are required by law, charter, ordinance or regulation, the following methods of legal publication of ordinances are appropriate to properly inform the general public in matters of municipal concerns:

- (a) Posting on the City Website under a new heading "Legal Notices" and
- (b) Posting on the City Public Announcement Board maintained by the Office of the City Clerk

In addition, City Council recommends that notice of the passage of a new ordinance and where the full text of the ordinance is available for inspection by/ and or distribution to the public also appear on the City's Community Television Network Cable Television Channel as a public announcement; and

RESOLVED, That the City Administrator and City Clerk are directed to implement this Resolution.