



## Legislation Text

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**File #:** 09-0817, **Version:** 2

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Resolution to Order Election and to Determine Ballot Question for Charter Amendment to Authorize Publication of Ordinances by Alternate Means and Methods Except Where Publication is Specified by State Law

Whereas, The Ann Arbor City Code provides in Section 7.3(d) that a zoning ordinance or an amendment or revision thereof shall be published in one or more newspapers of general circulation in the City;

Whereas, The Ann Arbor City Code provides in Section 7.4(a)(1) and (2) that after enactment each ordinance shall be published in a newspaper of general circulation in the City;

Whereas, City Council recognizes that the original intent of these provisions was to provide notice of Council actions by the most effective means available;

Whereas, Methods of communication and forms of media have altered materially since the adoption of these provisions and similar provisions in State law;

Whereas, Except in cases where statutory provisions govern the mode and manner of publication, the manner of publishing City ordinances is a matter of purely municipal concern;

Whereas, It is in the best interest of the City of Ann Arbor to be prepared to use the most effective and efficient means of reaching the greatest number of its residents which may not always be by newspaper publication as it is currently defined;

RESOLVED, That the Ann Arbor City Council propose that Sections 7.3(d) and 7.4(a) of the City Charter be amended as follows:

### Introduction, Consideration, and Style of Ordinances

#### Section 7.3

- (d) A zoning ordinance or an amendment or revision thereof shall be published in one or more newspapers of general circulation in the City or any other media otherwise permitted by law, and opportunity for a public hearing allowed thereon before final action is taken by the Council.

### Publication of Ordinances

#### Section 7.4

- (a) Each ordinance shall be published within ten days after its enactment in one of the following

two methods:

- (1) The full text thereof may be published in a newspaper of general circulation in the City of Ann Arbor 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 in matters of municipal concerns, or
- (2) In cases of ordinances over five hundred words in length, a digest, summary or statement of the purpose of the ordinance, approved by the Council, may be published in a newspaper of general circulation in the City of Ann Arbor 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, including with such newspaper publication, a notice that printed copies of the full text of the ordinance are available for inspection by, and distribution to, the public, at the office of the City Clerk. If Method (2) is used, then printed copies shall promptly be so made available, as stated in such notice.

RESOLVED, That November 3, 2009 be designated as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election;

RESOLVED, That the proposed Charter amendments shall appear on the ballot in the following form:

PROPOSAL 1  
ANN ARBOR CITY CHARTER AMENDMENT

Shall Sections 7.4(a) (1) and (2) of the Ann Arbor City Charter be amended to permit the current requirement of newspaper publication of City ordinances to be satisfied also by posting to the City website, or by any media determined appropriate to inform the general public by City Council?

☐Yes      ☐No

PROPOSAL 2  
ANN ARBOR CITY CHARTER AMENDMENT

Shall Section 7.3(d) of the Ann Arbor City Charter which currently requires the newspaper publication of a proposed zoning ordinance or amendment be amended to permit this publication requirement to be satisfied by publication in any other media otherwise permitted by law?

☐Yes      ☐No

RESOLVED, That the proposed Charter amendment and proposed ballot question shall be published in full not fewer than two times in a newspaper of general circulation;

RESOLVED, That if the amendment be adopted, it shall take effect on January 1, 2010.

Sponsored: Councilmember Higgins

**As amended by Ann Arbor City Council Resolution No. R-09-361 on September 8, 2009.**