



## General Guidelines

**FILING DEADLINE: Tuesday, August 7, 2018, 5:00 p.m., City Clerk's**

### **Office OFFICES TO BE ELECTED:**

- Mayor - Elected by the voters, at-large for a two-year term to expire in November 2020.
- Three (3) Councilmembers -Elected by the voters, at-large for four-year terms to expire in November 2022.
- Newly elected members shall take the oath of office and assume the duties of their office on November 12, 2018.

### **NOMINATING PETITIONS:** City Charter, Sec. 2-2 and 4-4(b)

- Petitions can be picked up from the City Clerk's Office, 100 McMorran Boulevard, Port Huron.
- Petitions for the Mayor's position or for a Councilmember position must be signed by at least 75, but no more than 125, qualified and registered electors of the City.
- Filing of petition signatures will be accepted in the Port Huron City Clerk's office through **5 p.m. on Tuesday, August 7, 2018.**

### **QUALIFICATIONS:** City Charter, Sec. 2-3

- Must be a qualified and registered elector of the City and shall have been a resident of the City for at least one (1) year immediately prior to the election.
- Cannot be in default to the City. Cannot hold any other salaried city office during term of office, unless otherwise provided in the City Charter.
- No individual shall be a candidate for more than one City elected office at the same election. See MCL 168.558(5) for more details.

### **CIRCULATORS OF PETITIONS - General Information (see petition form & State law for full details):**

- The **circulator** must complete and date the certificate at the bottom of the sheet after gathering the last signature he or she intends to collect on the sheet. Signatures on a petition sheet which are dated after the date of the circulator's certificate are invalid.
- A petition sheet cannot be circulated by more than one person.
- A person is not permitted to sign a petition on behalf of another person. All signatures on a petition sheet must be affixed in a face-to-face exchange with the petition circulator. A circulator is not permitted to leave a petition unattended.

### **PERSONS SIGNING PETITIONS:**

- Must be registered voters of the City.
- Cannot sign more than one (1) petition for Mayor or more than three (3) petitions for Councilmember candidates.
- Petition signer is required to sign his or her name, enter their street address, zip code and the month, day and year of signing on the petition sheet. A person is not permitted to sign a petition on behalf of another person.

**ELECTION DATE: November 6, 2018**

# Applicable Charter Sections

## **Chapter 2, City Council**

### **Section 2-2. Composition of City Council**

- (a) The City Council shall consist of the Mayor and six (6) Councilmembers. The Mayor shall be elected at-large on a nonpartisan ballot and shall serve a term of two (2) years. The six (6) Councilmembers shall be elected at-large on a nonpartisan ballot and shall serve for four (4) year staggered terms.
- (b) No individual shall be a candidate for more than one City elected office at the same election.
- (c) Newly elected members shall take the oath of office and assume the duties of their office at the next regularly scheduled meeting following their election.

### **Section 2-3. Eligibility and qualifications**

- (a) Members of the City Council, including the Mayor, shall be qualified and registered electors of the City and shall have been residents of the City for at least one (1) year immediately prior to their election. Appointments made to fill a vacancy shall also be subject to the one (1) year residency requirement and be qualified and registered electors of the City.
- (b) The City Council shall be the sole judge of the election and qualification of its own members, subject to review by the courts. No member of the City Council shall hold any other compensated City office during their term of office unless otherwise provided in this Charter.
- (c) No person shall be eligible for membership on the City Council who is in default to the City. The holding of office by any member who is in default shall create a vacancy unless such default shall be eliminated within thirty (30) days after written notice thereof has been served at his or her last known place of residence by first class mail by the City Clerk upon the direction of the Council, or, unless the member contests his or her liability for the default in a court of competent jurisdiction or an appropriate administrative proceeding. *[NOTE: See Chapter 10 information below for further explanation.]*

## **Chapter 4, Elections**

### **Section 4-3. City general elections; Special elections**

- (a) The City Council may by ordinance establish convenient election precincts.
- (b) The election of City Council shall be at-large on a nonpartisan basis and shall be held on the first Tuesday following the first Monday of November of odd-numbered years in accordance with the law. The City shall not hold a primary election for elected City offices. *[Effective Jan. 1, 2014, Council elections will be held in even-numbered years beginning in 2016.]*
- (c) At each November odd-numbered City general election, there shall be elected from the City three (3) City Councilmembers and one (1) Mayor. The three (3) candidates receiving the greatest number of votes for the position of City Councilmember shall be elected. The candidate receiving the highest vote for the position of Mayor shall be elected. *[Effective Jan. 1, 2014, Council elections will be held in even-numbered years beginning in 2016.]*
- (d) Special elections shall be held when called by resolution of the City Council to be held on the dates and in the manner provided by law. Such resolution shall set forth the purpose of the election. In no case shall there be more than two (2) special elections within one (1) year.

#### **Section 4-4. Nominating petitions; Approval of petitions**

(a) All candidates for City elective offices shall be nominated by petition. Any qualified and registered elector of the City may be nominated for election.

(b) The City Clerk shall furnish nominating petition forms, which shall be substantially similar to that designed by the Secretary of State for the nomination of nonpartisan officers, upon receipt of written consent by a candidate. No other petition forms shall be used for the nomination of persons for City offices.

(c) Affidavits of candidacy required by MCL §168.558 shall be signed and submitted in accordance with the law. Petitions shall be circulated, signed and submitted in accordance with the law unless otherwise provided herein. Each candidate's petition must be signed by at least seventy-five (75) but no more than one hundred twenty-five (125) qualified and registered electors of the City. Petitions shall be filed with the City Clerk's office not later than 4:00 o'clock in the afternoon of the twelfth Tuesday preceding the general election date. *[Pursuant to MCL 168.646a, candidates nominated by filing petitions shall be filed at a time provided by the charter, but not later than the date of the primary.]*

(d) The City Clerk shall accept for filing only properly executed official nominating petitions from qualified candidates and which contain at least the minimum required number of signatures. The City Clerk shall within three (3) business days determine the sufficiency of the signatures on each petition filed in accordance with the law. If the City Clerk finds any petition does not contain the required number of genuine signatures on the petition as allowed by law, he or she shall immediately notify the candidate of the insufficiency of his or her petitions. Within the regular time for filing petitions, additional official nominating petitions may be filed to meet the required number of signatures as long as the maximum threshold number has not been met.

(e) All nominating petitions filed shall be preserved by the City Clerk until the first day of January following the general election for which the same were filed. At the expiration of that period, the City Clerk may destroy all nominating petitions unless a candidate has asked for the return of said petitions.

## **Chapter 10, Contracts, Purchases, Sales and Leases**

### **Section 10-6. In default**

No contracts shall be made, nor shall any payment be made, with any person who is in default to the City. As used in this Charter, "in default" means delinquent in payment of property taxes, assessments, a debt owed to the City, or the failure to fulfill a contractual obligation, whether monetary or conditional. If the person has not been provided at least thirty (30) days notice of the obligation, they shall be given a thirty (30) day period to rectify the obligation. The person shall be considered to be in default if one of the following applies:

- (1) Property taxes remain unpaid after the last day of February in the year following the year in which they are levied, unless the taxes are the subject of an appeal.
- (2) Income taxes remain unpaid after the last day of April in the year following the year in which they were prepared, unless the taxes are the subject of an appeal.
- (3) Another debt owed to the City, including unpaid utility bills or special assessments, remains unpaid thirty (30) days after the due date, unless the debt is the subject of an administrative appeal or a contested court case.
- (4) The failure to fulfill a contractual obligation remains uncorrected for a period of thirty (30) days, unless the failure to fulfill a contractual obligation is the subject of an administrative appeal or a contested court case.