

Proposal Number: 18

Name of Proposed Section: Preamble and Declaration of Rights

Proposed Article: Preamble and Declaration of Rights

Introduced by: Commissioner Richardson

Date Introduced: 10/8/2015

Date Reported for Second Reading: 10/22/2015

Date of Second Reading: 11/12/2016

Date Reported for Third Reading:

Date Passed:

Text:

#### PREAMBLE

We the people of the City of Flint, under the constitution and laws of the State of Michigan, in order to secure the benefits of local self-government and to provide for an honest, **TRANSPARENT**,<sup>1</sup> and accountable government do hereby adopt this charter and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we secure the benefits of home rule and affirm the values of **EQUALITY, FREEDOM, JUSTICE**,<sup>2</sup> representative democracy, professional management, strong political leadership, citizen participation, and<sup>3</sup> ~~regional cooperation~~ **ENVIRONMENTAL JUSTICE, AND EFFECTIVE GOVERNMENT**.<sup>4</sup>

#### DECLARATION OF RIGHTS

1. The people of the City of Flint have in this Charter reaffirmed their faith in fundamental human rights and in the equal rights of men and women. They have determined to promote social progress and to guarantee that City government serves the citizenry. The people of Flint have mandated that the City shall provide for public peace and health and for the safety of persons and property in the City; and they require that City officers promote respect for these rights and freedoms.
2. **THE PEOPLE HAVE A RIGHT TO AND** city officers shall pledge themselves to assure residents **AND BUSINESSES A** clean, and safe, **BLIGHT FREE neighborhoods ENVIRONMENT**<sup>5</sup>, safe and decent housing; job opportunities; clean air, access to safe drinking water, clean waterways and a sanitary City; health care; safe roadways, sidewalks

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<sup>1</sup> Amended in Committee of the Whole 10/22/2015

<sup>2</sup> Amended in Committee of the Whole 10/22/2015

<sup>3</sup> Amended in Committee of the Whole 10/22/2015

<sup>4</sup> Amended in Committee of the Whole 10/22/2015

<sup>5</sup> Amended in Committee of the Whole 1/17/2017

and convenient public transportation; recreational activities and facilities; and cultural enrichment.

3. The City has an affirmative duty to secure the equal protection of the law for each person and to insure equality of opportunity **AND SOCIAL EQUITY**<sup>6</sup> for all persons. No person shall be denied the enjoyment of civil or political rights or be discriminated against in the exercise thereof. **IT IS THE INTENT THE INTENT OF THE CITY OF FLINT THAT NO INDIVIDUAL BE DENIED EQUAL PROTECTIONS OF THE LAWS, NOR SHALL AN INDIVIDUAL BE DENIED THE ENJOYMENT OF HIS OR HER CIVIL RIGHTS OR BE DISCRIMINATED AGAINST** because of **RELIGION**, race, **ETHNICITY**, ~~color, creed,~~ national origin, **RELIGION**,<sup>7</sup> age, **POLITICAL ORIENTATION**, ~~disability,~~ sex, sexual orientation, ~~gender expression or gender identity,~~ **HEIGHT, WEIGHT, DISABILITY, FAMILIAL STATUS, MARITAL STATUS, ECONOMIC STATUS, OR ANY STATUS PROTECTED BY THE LAWS OF THE STATE OF MICHIGAN OR UNITED STATES OF AMERICA.**<sup>8</sup>
4. A person shall have reasonable access to all files and records of the City which relate to his or her rights and duties.
5. The people shall **HAVE THE RIGHT TO KNOW** ~~be informed of the~~<sup>9</sup> rules and regulations governing dealings between the City and the public and shall have access to review procedures on administrative decisions.
6. The City shall endeavor to secure application of the principle: of one person one vote for any regional policy making body which taxes or provides any service to City residents or takes any action affecting the City's interest.
7. Only such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare of the City shall limit the exercise of individual rights and freedoms.
8. The rights and freedoms set forth in this Declaration may in no case be exercised contrary to the purposes and principles of this Charter.
9. The enumeration in this Charter of certain rights shall not be construed to deny or disparage others retained by the people.
10. The City may enforce this Declaration of Rights and other rights retained by the people.

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<sup>6</sup> Amended in Committee of the Whole 3/7/2017

<sup>7</sup> Amended in Committee of the Whole 10/22/2015

<sup>8</sup> Amended in Committee of the Whole 1/17/2017

<sup>9</sup> Amended in Committee of the Whole 1/17/2017