

Proposal Number: 6

Name of Proposed Section: Definitions

Suggested Article: In General

Introduced by: Commissioner Cherry

Date Introduced: 10/8/2015

Date Reported for Second Reading: 5/12/2016

Date of Second Reading: 5/26/2016

Date Reported for Third Reading:

Date Passed:

Text:

**AGENCY.** “Agency” means any department, office, multiple member body or other organization of City government and includes any elective officer, appointee, or person acting or purporting to act in the exercise of official duties.

**AGENCY OF THE EXECUTIVE BRANCH.** “Agency of the executive branch” includes all of the above persons and organizations except for the Board of Hospital Managers and persons and organizations directly responsible to the City Council rather than the Mayor.

**IMMEDIATE FAMILY MEMBER** “IMMEDIATE FAMILY MEMBER” MEANS A PERSON WHO IS LIVING IN THE SAME HOUSEHOLD OR RELATED TO A PUBLIC SERVANT AS A SPOUSE OR AS ANY OF THE FOLLOWING, WHETHER BY MARRIAGE, BLOOD OR ADOPTION: PARENT, CHILD, BROTHER, SISTER, UNCLE, AUNT, NEPHEW, NIECE, FIRST COUSIN, GRANDPARENT, GRANDCHILD, FATHER-IN-LAW, MOTHER-IN-LAW, SON-IN-LAW, DAUGHTER-IN-LAW, STEPFATHER, STEPMOTHER, STEPSON, STEPDAUGHTER, STEPBROTHER, STEPSISTER, HALF-BROTHER, HALF-SISTER, BROTHER-IN-LAW, OR SISTER-IN-LAW.

**INQUIRY.** An “inquiry” is a request for information. There is no intention in this Charter to make a distinction between inquiries made by City officials and inquiries made by private citizens.

**LAW.** “Law” refers to the principles of conduct which must be obeyed. Unless the contrary is expressly stated, there is no intention to distinguish between laws in existence on the effective date of this Charter and laws subsequently declared. **STATE LAW** refers to the laws of the State of Michigan.

**MEMBERS SERVING, PRESENT AND ELECT.** In calculating an ordinary or extraordinary majority of:

1. **MEMBERS SERVING**, vacant seats are not included.
2. **MEMBERS PRESENT**, neither vacant seats nor those of absent members are included.
3. **MEMBERS ELECT**, all seats are included.

Thus a majority of members elect of a nine (9) person body is five (5) regardless of vacancies or absences.

**MULTIPLE MEMBER BODY.** “Multiple member body” means any board, commission, ad hoc committee, advisory committee and any group however designated, composed of more than one person, and acting, or purporting to act, in the exercise of official duties. The City Council is not a multiple member body.

**ORDINANCE.** An “ordinance” is a local law enacted by the legislative body of the City of Flint either prior to the effective date of this Charter or subsequently.

**PARK.** A “PARK” IS ANY CITY OF FLINT OWNED LAND OR RIGHTS IN LAND THAT ARE EITHER DESIGNATED AS A PARK, IN USE AS A PARK, PREVIOUSLY USED AS A PARK, OR IDENTIFIED IN AN APPROVED CITY OF FLINT PARKS AND RECREATION PLAN OR COMPREHENSIVE PLAN.<sup>1</sup>

**PRINCIPAL OFFICERS.** PRINCIPAL OFFICERS ARE THOSE PERSONS APPOINTED BY ~~THE MAYOR TO THE POSITIONS OF CITY ADMINISTRATOR, CITY ATTORNEY, CITY TREASURER, CITY ASSESSOR, AND DEPARTMENT DIRECTORS, AND THOSE APPOINTED BY CITY COUNCIL TO THE POSITIONS OF CITY CLERK, AND OMBUDSPERSON MAN, AND THOSE DESIGNATED CHIEF PLANNING OFFICER AND HEAD OF LABOR RELATIONS.~~<sup>2</sup>

**PUBLIC SERVANT** PUBLIC SERVANTS ARE ALL PERSONS EMPLOYED OR OTHERWISE ENGAGED BY THE CORPORATION OF THE CITY OF FLINT TO CONDUCT BUSINESS ON ITS BEHALF INCLUDING BUT NOT LIMITED TO ELECTED OFFICIALS, APPOINTED EMPLOYEES, MEMBERS OF BOARDS AND COMMISSIONS, CLASSIFIED EMPLOYEES, CONTRACTUAL EMPLOYEES, AND VOLUNTEERS.<sup>3</sup>

**STATUTE.** A “statute” is a public act of the Michigan Legislature either in existence on the effective date of this Charter or enacted subsequently.

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<sup>1</sup> Amended in Committee of the Whole 1/26/2017

<sup>2</sup> Amended in Committee of the Whole 12/10/2015 and 1/24/2017 and 2/28/2017

<sup>3</sup> Amended in Committee of the Whole 12/20/2016