

ORDINANCE NO. 11-1300

AN ORDINANCE REGULATING ADMINISTRATIVE AGENCIES APPOINTED
BY THE CITY OF ISHPEMING

THE CITY OF ISHPEMING ORDAINS:

Section 11-1301.

- (a) "Administrative Agency" as used in this Ordinance shall mean all administrative agencies, boards, bodies, commissions, committees, groups, or entities, however denominated, including all quasi-judicial boards such as the Zoning Board of Appeals, created by the Charter of the City of Ishpeming, by State law or by City ordinance, which function as a part of City government.
- (b) "Member" shall mean each member of an Administrative Agency who is appointed by the City Manager, by the Mayor, by the City Council, or who is appointed by any combination of the foregoing.

Section 11-1302. The office of any Member of an Administrative Agency shall be declared vacant by the City Council before the expiration of the term of such office if any of the following shall occur during the term of office of such Member:

- (a) Any occurrence specified by statute, by ordinance or by the City Charter which creates a vacancy in office.
- (b) If the Member shall be found or adjudged by a court of competent jurisdiction to be guilty of a felony during the term of office.
- (c) If the Member shall be adjudged by a court of competent jurisdiction to be guilty of any act constituting misconduct in office under the provisions of any statute, ordinance, or the City Charter.
- (d) If the Member shall miss three (3) regular meetings of such Administrative Agency, or twenty-five (25%) per cent of all meetings of the Administrative Agency in any fiscal year of the City, unless such absence shall be excused by such Administrative Agency for reasons of the health of the Member as certified to in writing by a duly licensed physician and the physician's certificate is attached to the minutes of the proceedings of the Administrative Agency at the time of each absence. Any meeting with respect to which a physician's certificate aforesaid is provided shall not be deemed to have been "missed" for purposes of this sub-section.
- (e) If the Member shall die.
- (f) If the Member shall be declared to be a mental incompetent by a court of competent jurisdiction.
- (g) If the Member shall remove their residence from Marquette County.

Section 11-1303. Upon the declaration by the City Council of a vacancy in office of a Member of an Administrative Agency, the appointing authority which appointed the Member whose office has been declared vacant shall immediately appoint a new Member for the unexpired portion of the term of the office. The appointment, as near as is practicable, shall be made following the same procedure used to appoint the Member

whose office was declared vacant.

Section 11-1304.

- (a) Any Member of an Administrative Agency whose office has been declared vacant by the City Council shall be given notice thereof in writing, by mail addressed to the last known address of the Member, which notice shall be mailed within fifteen (15) days after the declaration of vacancy. The notice shall also direct the Member, or the person in charge of the affairs of the Member, to deliver to the office of the City Clerk all of the official books, papers, records, and files of the Member concerning the Administrative Agency, which records shall be turned over to the City Clerk not later than fifteen (15) days after mailing of the notice.

- (b) Any person who wilfully fails or refuses to turn over to the City Clerk the official records referred to in sub-section (a) above, or who wilfully obstructs or attempts to prevent the return of said records to the City Clerk shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed One Hundred (\$100.00) Dollars or by imprisonment in the Marquette County Jail not to exceed ninety (90) days, or by both such fine and imprisonment.

Section 11-1305. This ordinance shall become effective upon publication.

Adopted: August 3, 1983
Published: August 11, 1983