

## CHAPTER 5

### OFFICERS AND PERSONNEL OF THE CITY; ELIGIBILITY FOR OFFICE AND EMPLOYMENT IN CITY

#### **Section 5.1. Residency required to hold elective office**

No person shall hold any elective office of the City unless they have been a resident of the City for at least one (1) year immediately prior to the last day for filing original petitions for such office or prior to the time of their appointment to fill a vacancy. No person shall hold any elective office unless they are a qualified and registered elector of the City on such last day for filing or at such time of appointment and throughout their tenure of office.

The members of the Council elected under provisions of this charter shall serve as provided under Section 3.5.

Each member of any City Board or Commission created by, or pursuant to this charter, shall have been a resident of the City for at least one (1) year immediately prior to the day of their appointment and shall be a qualified and registered elector of the City on such day and throughout the tenure of office.

All administrative officers of the City shall be United States citizens.

The Council may by ordinance require residence in the City of South Haven as a condition of employment of full-time appointive officers.

**State law reference(s)**--Mandatory that Charter provide for qualifications of officers, MCL 117.3(d), MSA 5.2073(d).

#### **Section 5.2. Vacancies in elective office and removal from office**

Any elective City office shall be declared vacant by the Council upon the occurrence of any of the following events before the expiration of the term of such office:

- a. For any reason specified by state law or by this charter as creating a vacancy in office;
- b. If no person is elected to, or qualified for, the office at the election at which such office is to be filled;
- c. If the officer shall be found guilty by a competent court of the State of Michigan of any act constituting misconduct in office under the provisions of this charter;
- d. If the officer shall be absent continuously from the City for more than sixty (60) consecutive days in any one (1) year without the permission of the Council;
- e. In case of any members of the Council, if such officer shall miss four (4) consecutive regular meetings of the Council or twenty-five (25) per cent of such meeting in any fiscal year of the city, unless such absences shall be excused by the Council and the reason therefore entered in the proceedings of the Council at the time of each absence;