



Legislation Text

File #: 001375, Version: 0

001375
ORIGINAL

ALD. NARDELLI

A charter ordinance relating to an election to fill a vacancy in the office of mayor.

3-02-3 am

This charter ordinance repeals provisions relating to an election to fill a vacancy in the office of mayor. These provisions do not comport with applicable state law, s.17.23 (1) (b), Wis. Stats., which is controlling.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 3-02-3 of the charter is amended to read:

3-02. Council President.

3. The president of the common council while filling the vacancy as acting mayor may continue to serve as president of the common council, in addition to exercising the powers and responsibilities of the office of mayor, until such time as a new mayor is elected, but the acting mayor shall not take part in any vote of the common council during that period. The common council president shall serve as acting mayor until a successor shall be elected for the residue of the unexpired term >>.<< ~~[[on the first Tuesday of April or the Tuesday after the first Monday in November next after the vacancy happens, in case it happens earlier than 90 days before such day, but if such vacancy happens on or after 90 days before such day, then the successor shall be elected on the following such date; but no election to fill a vacancy in such office shall be held at the time of holding the regular election for that office. The common council may at any time order a special election for the office of mayor when said office is temporarily filled by the president of the common council prior to the time when such election is required to be held under this subsection.]]~~

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.01(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

City Clerk-Legislative Reference Bureau

00608-1

BJZ/cac

12/28/00