

Section 23 - Qualifications of members

DRAFT PROPOSALS FOR CHARTER AMENDMENTS

Sec. 23. Qualifications Of Council Members.

- A. No person shall be eligible for the office of Council Member unless at the time of his or her election he or she is a citizen of the United States, at least twenty-one years of age, and shall have been for one year immediately preceding such election a qualified elector of the City. Council Members elected by districts shall also be residents and qualified electors of their districts. No elected City official shall hold any other elective public office nor shall he or she be a paid employee of the City or any other municipality.

- B. The council shall be the judge of the qualifications of its members.

Reason: These two provisions are in different places in the charter, even though they pertain to the same subject, the intent it to move the provisions into one section. Also under state court rule, there is already a right of judicial review. There is no need to be repetitive. Finally, under our system of separation of powers, a legislative body, not a judicial one should be the initial decision maker on qualifications

Sec. 29. Council Membership Rules

This section would be deleted and the qualifications language moved into Section 23