# City of Dover

### DRAFT PROPOSED COUNCIL RESOLUTION NO. 2013-09

1    BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

2    That the Mayor and Council have determined that the Charter of the City of Dover should be amended to
3    correct the wording for the age requirement to run for office and to improve readability.  Therefore, the
4    Mayor and Council of the City of Dover respectfully request the General Assembly of the State of Delaware
5    to amend Article II - Mayor and Council, Section 5. - Council to be legislative body; size; districts; terms
6    of mayor and councilmen; qualifications, of its Charter, which amendments, if adopted by the General
7    Assembly, would be as follows:

8    CITY OF DOVER CHARTER - ARTICLE II - MAYOR AND COUNCIL

9    Sec. 5. - Council to be legislative body; size; districts; terms of mayor and councilmen; qualifications.

10    The council shall be the legislative body of the city and composed of nine members nominated and elected
11    as herein provided.

12    ~~In order that the members of council shall be distributed over the city, the~~ *The* city shall be divided into
13    four election districts, the ~~district~~ boundaries of which shall ~~be~~ *be* established by council so that ~~the~~
14    ~~districts~~ *they* are nearly equal in population ~~as shown by the most recent federal decennial census~~ *based*
15    *on the latest federal decennial census information*. The district boundaries established for municipal
16    elections shall *be used for the next regular municipal election and shall* continue in effect until the next
17    succeeding federal decennial census is made available for use by municipalities in the State of Delaware*.*
18    ~~, at which time council shall redistrict the city so that the districts shall be nearly equal in population~~
19    ~~in accordance with said census, which redistricting shall be used for the next regular municipal~~
20    ~~election, which procedure shall be followed by council after each succeeding federal decennial census~~
21    ~~in this manner so that the districts shall be maintained as nearly equal in population as possible at all~~
22    ~~times.~~

23    At the regular municipal election held in April of 2012, the mayor shall be elected at-large. The term of
24    mayor elected at the April 2012 regular municipal election shall be for a period of three years, commencing
25    on the second Monday in May following his*/her* election and continuing for a term of three years until the
26    second Monday in May 2015, or until his/her successor has been duly elected and qualified.

27    Thereafter, commencing with the regular municipal election to be held in April of 2015, the term of mayor
28    shall be for a period of four years commencing on the second Monday in May following his/her election and
29    continuing for a term of four years until the second Monday in May, or until his/her successor has been duly
30    elected and qualified.

31    At the regular municipal election held in April of 2012, four councilmen shall be elected by district voting
32    from each of the districts of the city. The term of the councilmen elected at the April 2012 regular municipal
33    election shall be for three years, commencing on the second Monday in May following their election and
34    continuing for a term of three years until the second Monday in May 2015, or until their successors have
35    been duly elected and qualified.

36 At the regular municipal election held in April of 2013, five councilmen shall be elected, four by district
37 voting being from the districts and one at-large. The term of the councilmen elected at the April 2013 regular
38 municipal election shall be for a period of four years, commencing on the second Monday in May following
39 their election and continuing for a period of four years until the second Monday in May, or until their
40 successors have been duly elected and qualified.

41 Thereafter, commencing with the regular municipal election to be held in April of 2013, the terms of the
42 councilmen shall be for a period of four years, commencing on the second Monday in May following their
43 election and continuing for a term of four years until the second Monday in May, or until their successors
44 have been duly elected and qualified. The mayor and at-large councilman shall be elected at alternating
45 biennial regular municipal elections.

46 In order to be eligible to be elected as mayor or as a member of council, the person must as of the date of
47 the election be:

48    (1)    A citizen of the United States and of the State of Delaware;

49    (2)    A resident of the city and having continuously resided therein or in an area annexed to the
50           city during the two years ~~next~~ *immediately* preceding the day of the election;

51    (3)    A resident of the election district from which they are seeking election, unless they are
52           seeking election as an at-large councilman or mayor;

53    (4)    Eighteen years of age *or older*; and

54    (5)    Nominated therefore, as hereinafter provided.

55 Holding Other Office. Except where authorized by law, no council member~~s~~ shall hold any other elected
56 public office*, city office, or city employment* during the term for which the member was elected to the
57 council. ~~No council member shall hold any other city office or employment during the term for which~~
58 ~~the member was elected to the council.~~ No former council member~~s~~ shall hold any compensated
59 appointive office or employment with the city until one year after the expiration of the term for which the
60 member was elected to the council, unless granted a waiver by the Board of Ethics (Ethics Commission).

61 (Amd. of 7-12-2005 (S.B. 126); Amd. of 7-8-2009 (S.B. 165, § 6); Ord. No. 2010-23, 8-23-2010 (S.B. 8);
62 Res. No. 2011-11, 10-10-2011, (S.B. 165))

63 ADOPTED:    *
64 S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2013\Draft\2013-09 Request to GA- Correction to Age Requirement w Markup.wpd

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66       CARLETON E. CAREY, SR.                        THOMAS J. LEARY
67            MAYOR                                  COUNCIL PRESIDENT

68 Actions History:
69 March 25, 2013 - Scheduled for Consideration by City Council
70 March 11, 2013 - Introduced at City Council