

ORDINANCE NO. CLXXXIII (183)

AN ORDINANCE TO AMEND CHAPTER 7, "HARBOR", ARTICLE I, "HARBOR COMMISSION", OF THE CODE OF ORDINANCES OF THE CITY OF NEW BUFFALO, MICHIGAN, TO CHANGE MEMBERSHIP REQUIREMENTS FOR HARBOR COMMISSIONERS.

THE CITY OF NEW BUFFALO ORDAINS:

SECTION I. The Code of Ordinances of the City of New Buffalo, Chapter 7, "Harbor", Article I, "Harbor Commission", Section 7-2, "Composition; appointment; terms of members; filling vacancies." is hereby repealed, with the following new Chapter 7, "Harbor", Article I, "Harbor Commission", Section 7-2 "Composition; appointments; filling vacancies." being inserted into its place.

Section 7-2. Composition; appointments; filling vacancies.

- A. **Composition** – The Harbor Commission shall consist of five (5) members, who shall be resident electors of the City. The following individuals are ineligible to serve as members: City Council members, the City Manager, Parks Superintendent, or any other elected official and/or employee of the City.
- B. **Appointments** – Appointments made to the Harbor Commission shall provide for staggered terms of office. Appointments to fill expired positions on such commission shall be for a period of three (3) years, and shall be made by the Mayor with the consent of the majority of the City Council at the regular organizational meeting of the City Council following the regular City election.
- C. **Alternate Members** – The Mayor with the consent of the majority of the City Council may appoint up to two (2) alternate members, who shall have the same membership requirements as regular Harbor Commission members. Alternate members have voice and vote on the Harbor Commission in the event a regular Harbor Commission member is absent. At the time of appointment as alternate members, the City Council shall designate one alternate to serve first in the event of an absence during a meeting, with the other alternate member serving if the first alternate member is unavailable, or in the event of a second absence during a meeting.
- D. **Filling Vacancies** – Appointments to fill vacancies on the Harbor Commission shall be for a period of time equivalent to the unexpired term of that office. Appointments to fill such vacancies shall be made by the Mayor with the consent of the majority of the City Council, but shall be made within sixty (60) days of the date such vacancy occurs.

SECTION II. This ordinance was adopted on the fifteenth day of November, 2011, and shall become effective on the sixth day of December, 2011, which date is twenty (20) days following publication in the New Buffalo Times, a newspaper of general circulation within the City of New Buffalo.

CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN

William J. Geisler, Mayor

Kim Schmitz, Acting City Clerk