

Definitions

A. As used in this Ordinance :

1. **Agency** means, where appropriate and unless indicated otherwise, one or all of the following: any department, office, multi-member body, subdivision of the Legislative branch of City government or other organization of city government and includes any elective officer, appointee, employee, or person acting or purporting to act in the exercise of official duties.
2. **Appoint** means being named to a position in the exempt service.
3. **Appointee** means a person holding either a compensated or uncompensated position.
4. **Appointive office** or **appointive officer** means compensated positions and appointees holding compensated positions
5. **City** means the City of Detroit.
6. **City Clerk** means the City Clerk of the City of Detroit.
7. **City Council** means the legislative body of the City of Detroit.
8. **Confidential Information** means information obtained by a Public Servant by reason of his or her official position concerning the property, government or affairs of the City or any office, department or agency thereof, not available to members of the public pursuant to the Michigan Freedom of Information Act or other applicable laws, regulations or procedures.
9. **Contractor** means a party who, or which, seeks to enter, or enters, into a contract with the City of Detroit for the delivery of goods or services, but does not mean one who seeks to enter, or enters, into a personal services contract, as defined in this section, with the City.
10. **Corrupt Conduct** means the conduct of a Public Servant, in carrying out his duties, that violates applicable laws or the Standards of Conduct articulated in this Charter.
11. **Director** means the administrative head of any department or agency regardless of the title of a particular director.
12. **District** or **ward** means a district drawn on a geographical basis, which constitutes a political unit from which members of the City Council, Board of Police Commissioners and Community Advisory Councils are elected.
13. **Elective officers** means the Mayor, each member of the City Council, elected Board of Police Commissioners and the City Clerk.
14. **Employee** means a person employed by the City of Detroit, whether on a full-time or part-time basis.
15. **Exempt service** means both compensated and uncompensated positions.
16. **Exercises significant authority means having the ability to influence the outcome of a decision on behalf of the City of Detroit government in the course of the performance of a Public Servant's duties and responsibilities.**
17. **Filling of vacancies** means, except as otherwise provided by this Charter, whenever a vacancy occurs in any appointive position, the vacancy shall be filled by appointment (for the unexpired term, if any) in the manner provided for the original appointment.
18. **General election in the city** (*distinguished from 'city general election'*) means a city-wide general election regardless of whether its purpose is to fill national, state, county or City offices.
19. **Hire** means being employed for a position in the classified service as defined in section 6-417 of this Charter.
20. **Immediate family member** means a Public Servant's spouse, domestic partner, individual who lives in the Public Servant's household or an individual claimed by a Public Servant or a Public Servant's spouse as a dependent under the United States Internal Revenue Code at 26 USC 1, *et seq.*

21. **Lobbying** means all communications with a Public Servant for the purpose of influencing legislative or executive action.
22. **Lobbyist** means with respect to lobbying city government: (a) a person whose expenditures for lobbying are more than \$1,000.00 in value in any 12-month period; (b) a person whose expenditures for lobbying are more than \$250.00 in value in any 12-month period, if the amount is expended on lobbying a single public official; or (c) a registered lobbyist under applicable laws, who lobbies Detroit city government.
23. **Multi-Member Body** means any board, commission, or other organization of City government.
24. **Official Act** means any action, omission, decision, recommendation, practice or procedure of any agency.
25. **Personal services contract** means a contract for the retention of an individual to perform services on behalf of the City of Detroit for a fixed period and for fixed compensation.
26. **Proceedings** means, with respect to City Council, any gathering of that body for purposes of conducting the legislative affairs of the City of Detroit. It includes, but is not limited to, hearings, council meetings, committee meetings and other council related activities where the body is required to convene by law or Charter to execute its legislative function, as dictated by law, Charter or ordinance.
27. **Public Servant** means the Mayor, members of City Council, City Clerk, appointive officers, any member of a board, commission or other voting body established by either branch of City government or this Charter and any appointee, employee or individual who provides services to the City within or outside of its offices or facilities pursuant to a personal services contract.
28. **Resident(s) or residence** means, in reference to qualification for elective office, service on a multi-member body or other Charter residency requirement, a person's principal, permanent place of residence. It shall be that place at which a person habitually sleeps, keeps their personal effects, and regularly lodges. If someone has more than one (1) residence, or a residence separate from that of their spouse, the place where the person resides the greater part of the time will be considered their official residence. Any relevant judicial interpretation of these terms shall be applicable.
29. **Retain** (distinguishing legal representation other than the Corporation Counsel) means the temporary hiring of outside legal counsel.
30. **Serving and present** means, when calculating an ordinary or extraordinary majority of:
- City Council members serving**, vacant City Council seats are not included; and
 - City Council members present**, neither vacant City Council seats nor those of absent members are included.
31. **Vacancy** means that the position of any elective officer or appointee is deemed vacant upon death, resignation, permanent disability or dismissal from the position in any manner authorized by law or this Charter.
32. **Voter of the city or city voter** means a person who has the qualifications of and is registered as an elector of the City of Detroit under state law.
33. **Willful Neglect of Duty** means the intentional failure of a Public Servant to perform the duties of his office.

