

Memorandum



Date: September 16, 2025
To: Mayor and Commissioners
From: Kalla Langston, City Clerk
Subject: Amending Ordinance 407

Ordinance #407 was amended in 2018, which allows the filing of nominating petitions to be turned in on the fifteenth Tuesday before the November General Election. Previous **Ordinance #406** stated the fifteenth Tuesday before the August Primary Election.

Rationale/ Advantages: Ordinance #406 facilitates more predictable timing by aligning deadlines with a specific number of weeks before the August Primary. This provides candidates with clarity early in the election cycle. Additionally, it helps reduce voter confusion, as voters will be informed about the candidates sooner. This allows for the candidate slates to be finalized earlier, which aids in primary publicity, sample ballots, and other preparations. Furthermore, this change ensures consistency with existing law, as Michigan already mandates that petition filings occur by the 15th Tuesday before the primary in many situations. This amendment would extend this consistency across the board.

Michigan Election Law, under **MCL 168.540**, provides:

If, upon the expiration of the time for filing petitions for any nonpartisan primary election, it shall appear that as to any office on any nonpartisan ticket there are not to exceed twice the number of candidates as there are persons to be elected, then the officer with whom such petitions are filed shall certify ... the names of such candidates whose petitions have been properly filed ... and such candidates shall be the nominees ... As to such offices, there shall be no primary election and such offices shall be omitted from the primary ballot.

What this means

For a nonpartisan office (no party labels on the ballot), there is usually a primary to winnow down the number of candidates.

But, if after all the nominating petitions are filed, the number of candidates is *not more than twice* the number of seats/positions to be filled in that office, **then**:

1. There will be **no primary election** for that office.
2. The names of all those who filed (and whose petitions are valid) will be certified as the **nominees**.
3. That office will be *omitted* from the primary ballot.

Potential Concerns & Considerations: Some candidates may find the earlier deadline burdensome. Public notice: People need to be informed of the new deadline well in advance so campaign planning, candidate recruitment, etc., aren't disrupted.

Recommendation

Direct Clerk Langston to shift petition filing deadlines so they are due 15 weeks before the August Primary rather than for the November General Election and bring amended language to the Commission for introduction.