

## **Explanatory Statement**

The volunteer Charter Commission recommended amending the City Charter to delete vague, archaic and inconsistent language.

Currently, Charter Section 2-105(a)(50) lists as one of the City's specific powers the right to "prohibit persons from roaming the streets at unseasonable hours". Under the Commission's recommendation, this vague and archaic language would be deleted. Deleting this section of the City's specific powers would not impair the City's general powers and authority to protect and support public health and safety.

Currently, Charter Section 2-105(a)(36) authorizes the City to regulate "businesses which are offensive or may create or constitute a nuisance. . ." Under the Commission's recommendation, the vague term "offensive" would be deleted and the City would retain authority to regulate businesses that create or constitute a nuisance.

Currently, Charter Chapters 2, 4 and 12 define "protected classes", but the definitions have small inconsistencies. Under the Commission's recommendation, a consistent definition of "protected classes" – those classes protected "under local ordinance, or state or federal law" – would be used throughout the Charter.

Currently, the term "disability" is used in Charter Chapter 2 to describe when a City official may be unable to perform official duties. Under the Commission's recommendation, the term "disability" would be replaced with "incapacity" to reflect the fact that disabled residents may serve as City officials.