

**EMERGENCY MANAGER
CITY OF BENTON HARBOR
BERRIEN COUNTY MICHIGAN
ORDER NO.: 44**

ORDER TO DESIGNATE POLLING LOCATION FOR THE SECOND WARD

I, **Joseph L. Harris**, the duly appointed Emergency Manager for the City of Benton Harbor, Michigan (the "City") by the power and authority conferred upon such Emergency Manager by Public Act 4 of 2011 ("Public Act 4"), and specifically by Section 19, MCL 141.1519, **do hereby order** as follows:

WHEREAS, Public Act 4 provides in Section 19(1)(dd) and (ee):

"(dd) Exercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions of the local government as provides in the following acts: (i) [t]he home rule city act, 1909 PA 279, MCL 117.1 to 117.38.

(ee) Take any other action or exercise any power or authority of any officer, employee, department, board, commission, or other similar entity of the local government, whether elected or appointed, relating to the commission, or other similar entity of the local government, whether elected or appointed, relating to the operation of the local government."

WHEREAS, Public Act 4 provides in Section 19(2):

"(2) Except as otherwise provided in this act, during the pendency of the receivership, the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the emergency manager."

WHEREAS, the Benton Harbor Area School District has closed Calvin Britain School, and thus, it is no longer available for public use as a polling place for the second ward; and

WHEREAS, MCL 168.662 states that a city holding an election shall provide a suitable polling place in or for each precinct located in the city for use at each election; and

WHEREAS, the Business Growth Center is a City-owned and City-controlled public building; and


WHEREAS, the City Clerk's office has obtained permission and authorization to use the Business Growth Center building as a polling place for the second ward; and

WHEREAS, the Emergency Manager has determined that it is in the best interest of the City to designate a polling location for the second ward.

NOW, THEREFORE, BE IT ORDERED BY THE EMERGENCY MANAGER OF THE CITY OF BENTON HARBOR, PURSUANT TO ACT 4:

1. That the Business Growth Center, a publicly owned and controlled building, located at 200 Paw Paw in the City of Benton Harbor, is hereby designated as the polling location for the second ward.
2. The City Clerk's office shall send notifications of this change in polling location to each affected elector immediately.
3. This Order shall become effective immediately.

SO ORDERED this 7th day of December, 2011.



Joseph L. Harris
Emergency Manager