

# Highland Park City Charter



adopted at the Special May 7, 2019 Election

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**CHARTER OF THE CITY OF HIGHLAND PARK, MICHIGAN**

**PREAMBLE**

We, the people of the City of Highland Park, Michigan, in order to secure the benefits of efficient self-government and to promote our common welfare, do hereby enact and establish this Charter.

## CHAPTER 1

### INCORPORATION AND BOUNDARIES

#### Sec. 1-1 Incorporation.

The municipal corporation now existing and known as the "City of Highland Park," as its limits now are or may hereafter be established, shall be and continue a municipal corporation under the laws of the State of Michigan, and shall be known by the name of "City of Highland Park."

#### Sec. 1-2 Boundaries.

The boundaries of the City when this Charter takes effect shall continue unless changed in accordance with State law. The City Clerk shall keep on file an up-to-date map of the City.

#### Sec. 1-3 Electoral Districts.

The City shall be divided into three (3) electoral districts. The districts shall be contiguous, compact and as nearly of equal population as is practicable. In no event shall the population of any district vary by more than one (1) percent from that of any other district, based upon the most recent official United States decennial census or other census permitted by law. Districts shall be apportioned by ordinance pursuant to law and this Charter. The initial apportionment ordinance shall be adopted no later than January 1, 2019.

#### Sec. 1-4 Re-Appportionment of Electoral Districts

After the creation of the initial electoral districts, an apportionment ordinance shall be adopted after the release of each U.S. Decennial Census thereafter and at least six (6) months prior to the City primary election to which it first applies. The effective date of the representation of the new districts shall be the date for taking office of the first City Council members elected therefrom.

#### Sec. 1-5 Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in this chapter.

#### Sec. 1-6 Intergovernmental Relations.

The City may exercise any of its powers or perform any of its functions and may participate in the authorized financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or political subdivisions or agencies thereof, or the United States or any agency thereof.

## CHAPTER 2

### DEFINITIONS AND GENERAL PROVISIONS

#### Sec. 2-1 Records.

All records of the City shall be made available to the general public in compliance with the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246. Unless otherwise provided by law, City records shall be kept in City offices, except when required for official reasons or for purposes of safekeeping to be elsewhere. Subject to any applicable State law, the City shall have the power to determine the period and manner in which Municipal records shall be preserved and the time and manner, in which they may be summarized, microfilmed, recorded or destroyed.

#### Sec. 2-2 Definitions.

(a) "Officer" shall include the Mayor, City Councilmen, Clerk and Treasurer and all administrative officers hereinafter provided their deputies when functioning as such, and such others as are so designated by the City Council from time to time. Elected Charter commissioners are not "Officers" as defined in this Charter.

(b) "Person" includes a body politic, corporation, partnership or association as well as an individual.

(c) "Publish" and "Publication."

- (i) Unless as otherwise required by law, the requirement contained in this Charter for the publishing or publication of notices, ordinances or proceedings of City Council or other city boards, commissions or authorities, shall be met by publishing in one of the following manners:
  - (A) At least once in a newspaper published in the English language for news of general character, with general circulation at regular intervals in the city for at least one (1) year immediately prior to the publication of the notice, or
  - (B) By posting in at least three (3) conspicuous places within the city, or
  - (C) By posting on the City's website, cable site and/or the Internet.
- (ii) Prima facie evidence of such publication shall be in the form of an affidavit of the printer or publisher of the newspaper, or the foreman or principal clerk attached to a copy of the notice.
- (iii) In the case in which the Charter requires or permits the mailing or posting of notices around the city or on the internet, the affidavit of the officer or employee responsible for such mailing or posting, that such notice was mailed or posted shall be prima facie evidence of such mailing or posting.

(d) The present tense shall not be limited to the time of the adoption of this Charter but shall extend to and include the time of the happening of any event or requirement to which the provision is applied.

(e) "Gender", unless otherwise provided, all gender references shall be male without consideration to actual gender of the identified individual or party.

(f) The plural and singular shall be interchangeable; masculine, neuter or feminine genders shall be interchangeable.

**Sec. 2-3 Deputies.**

Whenever this Charter requires the performance of an act by an officer, it may be performed by a deputy selected by him. Routine acts not requiring official action may be performed by any subordinate.

**Sec. 2-4 Quorum.**

Unless expressly provided otherwise in this Charter, a quorum of any board created by or under authority of this Charter shall consist of a majority of the number of its members as established by this Charter or by the ordinances creating such commission or board. The concurring vote of a majority of such established number of members of each such board shall be necessary for official action by it.

**Sec. 2-5 Penalties for Charter Violation.**

Any person found guilty of any violation of this Charter may be punished by a fine which, in addition to court costs charged to him, shall not exceed five hundred dollars or imprisonment for not more than ninety days, or by both such fine and imprisonment, in the discretion of the court. Imprisonment for violations of this Charter may be in the City or the County Jail, or in any work house of the State which is authorized by law to receive prisoners of the City. This section shall not operate to limit or prejudice the power to remove officers or discharge employees as provided in this Charter.

**Sec. 2-6 Severability.**

If any provision, section or clause of this Charter, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect any remaining portion or application of the Charter, which can be given effect without the invalid portion or application, and to this end, this Charter is declared to be severable.

**Sec. 2-7 Civil Rights.**

No person within the corporate boundaries shall be discriminated against because of race, creed, color, sex, age or national origin. In order to insure nondiscrimination in areas of housing, employment, education, public accommodations, letting of contracts and any other areas where a person's constitutional rights may be abridged or denied, there shall be an unpaid Human Relations Commission appointed by the Mayor with the responsibilities of setting up appropriate rules and regulations.

## CHAPTER 3

### MUNICIPAL POWERS AND LIABILITIES

#### Sec. 3-1 General Powers.

Unless otherwise provided or limited in this Charter, the City shall possess and be vested with all the powers, privileges, and immunities, expressed or implied, which cities are, or hereafter may be, permitted by law to exercise or to include in their charters. The enumeration of particular powers, privileges, or immunities in this section or elsewhere in this Charter shall not be held to be exclusive. These powers shall include those set forth at length in Act 279 of 1909, Act 94 of 1933, and all other laws of general applicability of the State, as now or hereafter provided, as though quoted at length herein. The City shall have power to manage and control the finances, rights, interests, buildings, and property, to enter into contracts, to do any act to advance the interest, good government, and prosperity of the City and its inhabitants, and to protect the public peace, morals, health, safety, and general welfare, and to prevent vice and immorality. In the exercise of such powers, the City may enact ordinances, rules, and regulations, and take such other action as may be required, not inconsistent with law.

#### Sec. 3-2 Nuisances and Dilapidated Buildings.

The City shall have power to prohibit and abate dilapidation, debris, weeds, nuisances and all other conditions adversely affecting the peace, health, morals, safety and welfare of the inhabitants of the City and to establish by ordinance procedures for declaring the existence thereof, requiring abatement by the owner or occupant of the premises or other person responsible for the condition, the holding of a public hearing thereon after reasonable notice thereof to any person materially affected by the proceeding, the adoption of an order by the City Council requiring the abatement or removal thereof, or the accomplishment thereof by the City and the assessment of the cost against the premises as a special assessment or collection of the cost against the owner, occupant or person responsible by action in any court of competent jurisdiction.

#### Sec. 3-3 Public Property.

The City shall have power to purchase, appropriate and own such real estate as may be necessary for public grounds, parks, boulevards, markets, public buildings, public works, and other purposes necessary and convenient for the public good, and for the execution of the powers conferred in this Charter or by the statutes of this State. Such buildings and grounds, or any part thereof, may be sold at public sale, or leased, as occasion may require. However, the following property: Municipal building, Water Plant, Fire Station, Police Station, Parks, Boulevards, Public Works and McGregor Library, shall not be sold, unless such sale be first approved by a majority of the electors voting thereon. Additionally, property can only be sold at Fair Market Value with a comprehensive project development plan negotiated with the city administration and approved by the City Council.

#### Sec. 3-4 Public Improvements.

The City shall have power to undertake any public work or make any public improvement or any repair or replacement thereof, either directly or by contract with private persons; and to

participate in any public work or public improvement under any lawful plan by which the whole or partial support of such work or improvement is provided by another governmental unit or agency.

**Sec. 3-5 Public Services.**

The City shall have power to acquire, construct, provide, operate, maintain, extend, improve, encumber, and dispose of, either within or without the City or the County of Wayne, any and all public services, utilities, facilities, buildings, and structures for the rendering of public service to its inhabitants and other persons.

**Sec. 3-6 Property.**

The City shall acquire by purchase, installment contract, gift, condemnation, lease, or otherwise, real and personal property, and interests in property, either within or without the corporate limits of the City or of Wayne County, for any public use, purpose, improvement or service within the scope of its powers and to encumber or dispose of the same.

- a. Quarterly, the City shall auction residential homes the City has come to own.
- b. Individuals bidding on homes mentioned in (a) can only successfully bid on three homes within one auction.
- c. Upon a successful bid, auction winners will have a renovation deadline.
- d. Where the auction winner fails to renovate within the time frame, they default on their "ownership".
- e. Successful bidders must board up and otherwise secure the property before, during and up to the completion of any project.



## CHAPTER 4

### OFFICERS

#### Sec. 4-1 City Officers.

The elected officers shall be the Mayor, the five City Councilmen, Clerk and Treasurer. The appointive officers shall be those named in Section 7-2.

#### Sec. 4-2 Eligibility for City Office.

Except as otherwise provided in this Charter, a person is not eligible to become a candidate for an elected City office nor is that person eligible to hold an elected City office, unless he is (1) over twenty-five years of age as of the date of filing, and (2) a registered elector of the City for at least one year immediately preceding the filing date. Not more than one nonresident of the City may be appointed as a member of any City board or commission established by this Charter or by ordinance.

One or more nonresidents may be appointed as members of any board or commission established by resolution of the City Council.

#### Sec. 4-3 Persons Ineligible for City Office.

(a) A person who is in default to the City or to the County of Wayne or any school district located in the City shall not be eligible to assume any City office. No default shall be deemed to exist in any case where the person concerned is contesting the claim upon which the alleged default is based in a court of competent jurisdiction.

(b) A person who within the immediate past ten (10) years has been convicted of violating any provision of the election laws of the State or of the City, or has been convicted of a felony or of an offense involving a violation of his oath of office, shall not be eligible for any City office.

(c) For any person who is convicted of a felony for dishonesty, deceit, fraud or a breach of the public trust while holding an elective office or a governmental position, there shall be a twenty (20) year disqualification period for which said person may seek or hold such positions.

(d) Except in the case of joint boards or commissions having representation from the City and one or more other units of government, no person shall simultaneously hold two City offices or a City office and a City employment.

(e) No employee of the City shall be eligible for candidacy for or appointment to an elected office of the City, unless he shall resign from his employment with the City before filing his nominating petition therefore or acceptance of appointment thereto, except that no elected officer of the City shall be required to resign the office held by him in order to be a candidate for City office.

**Sec. 4-4 Terms of Office.**

(a) Except as provided in Section 5-1 and Section 18-4, the terms of office of the Mayor, City Councilman, Clerk and Treasurer shall be four years from 8:00pm on the Monday next following the New Year's day after their election at which time they shall take their oaths of office and assume and perform their duties under the provisions of this Charter.

(b) There shall be a limit of four (4) consecutive terms for city elected officials in an elective office, but any person who shall serve four (4) consecutive terms shall be eligible to run for the same elected office one (1) year after the completion of said fourth consecutive term.

(c) The terms of office of each member of a board or commission of the City shall be for the term of one year, unless otherwise provided in this Charter or the ordinance creating such board, and shall commence on the first day of January.

(d) Where an office is vacated, the vacancy shall be filled in a manner consistent with the rules established in this charter. Unless otherwise guided by a specific rule established in this Charter, a special election dedicated to filling the vacancy shall be conducted in accordance with the rules governed in this Charter or by state law. Said special election shall be preceded by a primary in order to reduce the candidate pool, consistent with other city elections.

**Sec. 4-5 Notice of Election and Appointments.**

Within three days after the canvass of the vote of the election at which a person has been elected to office or after the City Council has made or confirmed an appointment, the Clerk shall mail to the person elected or appointed a certificate of such election or appointment.

**Sec. 4-6 Compensation of Officers.**

The compensation of elected officers of the City of Highland Park shall be in accordance with Chapter 7, Sec. 7-9, of this Charter.

**Sec. 4-7 Oath of Office.**

Every officer, before entering upon his duties, and all employees designated by the Council, before entering upon their employment, shall take the oath prescribed by the Constitution, and shall file the same with the Clerk.

**Sec. 4-8 Surety Bonds.**

The Council may require any officer or employee to give a bond, to be approved by the City Attorney, in such sum as the Council determines. The bond shall be conditioned upon the faithful and proper performances of the duties of the office or employment concerned. All official bonds shall be corporate surety bonds and the premiums thereof shall be paid by the City. The bonds of all officers and employees shall be filed with the Clerk, except that the Clerk's bond shall be filed with the Treasurer. Any officer or employee who is covered by a blanket surety bond need not be bonded individually for the purpose of qualifying for office.

**Sec. 4-9 Giving of Surety by Officers Forbidden.**

No officer, agent, or employee of the City shall become surety on the official bond of any City officer, agent, or employee, nor upon any bond or contract executed to or made with the City, nor except for himself or his immediate family, give or furnish any bail or recognizance in connection with any complaint or warrant charging the violation of this Charter or of any ordinance of the City. No officer, agent, or employee of the City shall be the agent of any surety or insurer in connection with any license granted by the City or with respect to which the approval of the City Council or any officer of the City is required.

**Sec. 4-10 Vacancies in Office.**

- a. A City office shall become vacant upon the occurrence of any of the following events:
- (1) Expiration of the term of office;
  - (2) Death of the incumbent;
  - (3) Resignation;
  - (4) Removal from office;
  - (5) Ceasing to be an inhabitant of the City, except where residence is not required as a qualification for office, or, ceasing to be an inhabitant in the district which said person represents, even if said person remains an inhabitant of the City;
  - (6) Conviction of an infamous crime, or of an offense involving a violation of oath of office;
  - (7) Default to the City, unless such default is eliminated within thirty days after written notice thereof by the Clerk upon the direction of the City Council, or, unless the officer in good faith contests, by recognized procedures, his liability for the default;
  - (8) A decision of a competent tribunal declaring the officer's election or appointment void;
  - (9) Failure to take the oath or file the bond required for the office as required by law, this Charter or City ordinance;
  - (10) In the case of City Councilman's absence from six consecutive regular meetings of the City Council, unless such absences are excused by a majority of the City Council other than the City Councilman involved;
  - (11) Failure to perform the duties of such office for three consecutive months, unless such failure shall be excused by a majority of the City Council other than the City Councilman involved;
  - (12) Any other event which, by law, creates a vacancy.

b. The Mayor may remove any officer appointed by him and may suspend any such officer pending an investigation of any complaint or charge against him.

**Sec. 4-11 Resignations.**

Resignations of elected officers, except the Clerk, shall be made in writing to the Clerk and shall be effective when filed, unless a day certain, not to exceed thirty days after the date of filing of the resignation, is stated therein. Resignations of appointive officers, and the Clerk, shall be made in writing to the Mayor. The Mayor or the Clerk, as the case may be, shall announce the resignation of any officer to the City Council at its next meeting.

**Sec. 4-12 Recall.**

An elective officer of the City may be recalled by registered electors as provided by law.

**Sec. 4-13 Filling Vacancies – Elective Offices.**

As vacancies may occur in the City in regards to persons serving in elective positions, the following procedure shall be followed in the filling of any said vacancies:

The City Council shall have the power, and it shall be their duty, to fill any vacancy existing in Mayor, Clerk, Treasurer and City Council elective offices within thirty days after said vacancy is declared or determined, but for the following circumstances:

a. Office of Mayor -

Except as otherwise provided in Sec. 5-2 and Sec. 7-4 of this Charter, the following procedure shall be followed in the filling of any vacancy of the Office of Mayor:

- (i) If the vacancy occurs in the office of Mayor, more than one (1) year before the next regular City general election of 2022 and every four years thereafter, the Council shall order a special primary election and a special general election to fill the vacancy for the unexpired term, to be conducted in the same manner insofar as is practicable for the nomination, primary and general election as herein provided.
- (ii) To fill the vacancy until special or general election for the office of Mayor:
  1. If a vacancy occurs in the office of Mayor, the Council President shall succeed to the office until a new Mayor is elected.
  2. If the vacancy occurs in the office of Mayor and the City Council President declines or is unable to succeed to that office, the City Council President Pro-Tem shall succeed to the office of the Mayor until a new Mayor is elected.
  3. If neither the City Council President nor the City Council President Pro Tern is able or agrees to serve, then the Council shall appoint a member of the City Council, by a majority of City Council votes, to succeed to the office of

Mayor until a new Mayor is elected;

4. If no one on City Council shall accept the appointment to the Office of Mayor, then the eligible candidate garnering the next highest votes in the immediately preceding mayoral election shall be appointed to the Office of Mayor until a new Mayor is elected;
5. If no such candidate is eligible or available to accept said appointment, then the City Council shall appoint an eligible person to this appointment;
6. If the City Council shall fail or refuse to make such an appointment, as prescribed in subsection (5) of this section, then the appointment shall be made by the City Clerk.

(iii) If the vacancy occurs in the office of Mayor the first order of business of the first City Council meeting after the succeeding Mayor has been sworn in, shall be to fill any Council vacancy created.

b. Office of Clerk –

- (i) If a vacancy shall occur in the Office of City Clerk, then the candidate from the immediately preceding election in which said office was on the ballot, who received the next highest vote shall be installed in this elective position;
- (ii) If said individual, as referenced in Sec. 4-13(b)(i), shall refuse, or otherwise be ineligible to accept the appointment of this position, then the candidate who received the next highest number of votes shall be installed in this elective position;
- (iii) If said individual, as referenced in Sec. 4-13(b)(ii), shall refuse the appointment of said position, or is otherwise unable to accept this appointment, then a majority vote of City Council of an eligible individual shall determine the appointment to this position.

c. Office of Treasurer –

- (i) If a vacancy shall occur in the Office of City Treasurer, then the candidate from the immediately preceding election in which said office was on the ballot, who received the next highest vote shall be installed in this elective position;
- (ii) If said individual, as referenced in Sec. 4-13(c)(i), shall refuse, or otherwise be ineligible to accept the appointment of this position, then the candidate who received the next highest number of votes shall be installed in this elective position;
- (iii) If said individual, as referenced in Sec. 4-13(c)(ii), shall refuse the appointment of said position, or is otherwise unable to accept this appointment, then a majority vote of City Council of an eligible individual shall determine the appointment to this position.

d. City Council –

- (i) A vacancy on the City Council shall be filled by appointment of a registered elector of that District affected or Citywide for the at-large members, of the eligible candidate in the immediately preceding election in which said elective office was on the ballot who received the next highest vote who shall serve out the unexpired term or until a successor is elected. However, the term of a member may not be extended by resignation and subsequent appointment.
- (ii) If the vacancy occurs on the Council, more than one (1) year before the next regular City general election of 2022 and every four (4) years thereafter, the City Council shall order a special primary election and a special general election to fill the vacancy for the unexpired term, to be conducted in the same manner insofar as is practicable for the nomination, primary and general election as herein provided.

**Sec. 4-14 Delivery of Office to Successor.**

Whenever an officer or employee resigns or is removed from office, or his tenure in office expires, he shall deliver, forthwith, to his successor in the office or to the Clerk, all books, papers, money, and effects in his custody which were necessary to or were obtained as a part of the performance of his duties.

## CHAPTER 5

### THE CITY COUNCIL

#### Sec. 5-1 The City Council.

The City Council shall consist of five members. Except for the three (3) year term for Councilmen elected in November 2019, provided for in Section 18-4, the term of office of each Councilman shall be four years from 8:00 p.m. on the Monday next following the New Year's Day after their election, at which time the Members of the City Council shall take their oaths of office and organize. In the case of appointments to fill vacancies made under this Charter, an appointee shall qualify for and assume the duties of his office within ten days after his appointment. The City Council shall exercise all of the legislative powers of the City, except as otherwise provided by law, and shall provide for the public peace and health, and for the safety of persons and property.

One member of the City Council shall be elected from each of the City's three (3) districts, as outlined in Sections 1-3 and 1-4. The person receiving the highest number of votes in each respective district shall be elected to the office of District Councilman.

There shall be two (2) At-Large City Council seats. Except as provided in Section 5-2, the person receiving the highest number of votes shall serve said term as City Council President. The person receiving the second highest vote tally in the At-Large category shall be named the City Council Pro Tem.

#### Sec. 5-2 The President.

The At-Large member of the City Council receiving the highest number of votes at the regular City election shall be named and designated the City Council President. If such person shall decline the office, then the person receiving the next highest number of votes in the At-Large position shall be named City Council President. The City Council President so named shall serve until the next regular city election. In the absence or disability of the Mayor, or if the Mayor's office becomes vacant, he shall act in his stead. In case of a vacancy or of the extended absence or disability of the President of the City Council, the City Council Pro Tem shall serve as President of the City Council. In the absence of City Council Pro Tem or the refusal to serve as President of City Council, the City Council shall select, in the above manner, a member to preside in this place. Thereupon, to the extent that an appointment to the position of Mayor is necessary, due to the refusal, declination or otherwise inability to serve in that capacity by either At-Large City Councilpersons, the City Council shall appoint an eligible and qualified person to serve in the capacity of Mayor.

The two (2) At-Large positions of City Council shall serve as City Council President and Council Pro Tem.

#### Sec. 5-3 Meetings.

- (a) The City Council shall meet in regular session in the established City Council Chamber at least twice a month on such days and at such time as the City Council shall

establish by ordinance. If there be no such ordinance, such meetings shall be held on the second and fourth Mondays. If any time set for the holding of a regular meeting of the City Council shall be a holiday, or observed as such, then such regular meeting shall be held on the next day which is not a holiday. The business of the City Council shall be conducted at public meetings held in compliance with the Open Meetings Act, MCL 15.231, *et. seq.*

(b) Special meetings of the City Council shall be held at the place of regular meetings. Special meetings shall be called by the Clerk on the written request of the Mayor, the President of the City Council, or any two members of the City Council, on at least six hours written notice, designating the time and purpose of such meeting, and served personally on each member of the City Council, or left at his usual place of residence by the Clerk or by someone designated by him. Such notice may be waived orally or in writing by City Councilmen attending the meeting or in writing by those not attending.

(c) No business shall be transacted at any special meeting of the City Council, except that stated in the notice of the meeting, unless waived as provided in (b) above.

(d) All regular and special meetings of the City Council shall be public.

(e) Three members of the City Council shall be a quorum for the transaction of business at all of its meetings. In the absence of a quorum, any number less than a quorum may adjourn a meeting to a later date.

(f) The City Council shall determine its own rules and order of business. The concurrence of at least three City Council members shall be required for any official action of the City Council and the vote shall be entered in the journal of the meeting, except that, where the vote is unanimous, it shall only be necessary to so state. The public shall have access to the minutes and records of all meetings of the City Council.

(g) There shall be no standing committees of the City Council.

(h) The Clerk shall prepare an agenda of business to be considered at each regular Council meeting, and, except when this rule is waived by the affirmative vote of three members of the City Council, no item of business shall be placed on the agenda, unless notice thereof was filed in the office of the Clerk by noon on the third working day preceding each such meeting. The City Council shall prescribe by rule the items of routine business which shall be placed on each agenda without the necessity of giving notice thereof to the Clerk.

(i) The Mayor shall be allowed to address the public in attendance at any City Council meeting for a reasonable period of time.

#### **Sec. 5-4 Restrictions on City Council.**



(a) Holding Other Office. Except where authorized by law, no City Councilman shall hold any other City office or City employment during the term for which he was elected to the City Council except that of County Supervisor, and no former Councilman shall hold any paid appointment or City office until one year after the expiration of the term for which he was elected to the City Council.

(b) Appointments and Removals. Neither the City Council nor any of its members shall in any manner dictate or require the appointment or removal of any City administrative officers or employees whom the Mayor or any of his subordinates are empowered to appoint without City Council approval, but the City Council may express its views and fully and freely discuss with the Mayor anything pertaining to appointment and removal of such officers and employees.

(c) Interference with Administration. Except for the purpose of investigation duly authorized by it, the City Council and its members shall deal with City administrative officers and employees who are subject to the direction and supervision of the Mayor solely through the Mayor, and neither the City Council nor its members shall give orders to or request any service of any officer or employee, either publicly or privately.

(d) Interest in City Business. Members of the City Council or other officer of the City shall adhere to and otherwise follow the requirements of the Contracts of Public Servants with Public Entities Act, as specified in MCL 15.321, *et. seq.*

(e) Voting. Except as otherwise provided by state law, no member of the City Council shall abstain from voting upon an issue after having had a reasonable opportunity to inform himself upon the particulars and merits thereof unless excused by a majority of the other members of the City Council present.

(f) Nepotism. Relatives by blood or marriage of any City Councilman or the Mayor within the second degree of consanguinity or affinity may not enter upon employment with the City from the date of the election of such official to the expiration of his last term.

## CHAPTER 6

### CITY LEGISLATION

#### Sec. 6-1 General Powers and Duties.

All powers of the City shall be vested in the City Council, except as otherwise provided by law or by this Charter, and the City Council shall provide for the exercise thereof by ordinance, resolution or otherwise and for the performance of all duties and obligations imposed on the City by law. The City shall have and exercise all municipal powers in the management and control of City property and in administration of City government whether such powers are expressly enumerated or not, and do any act to advance the interests of the City, the good government and prosperity of the City and its inhabitants and pass all laws and ordinances relating to Municipal concerns subject to the Constitution and general laws. The City Council shall be the legislative body of the City, shall function and determine policies as an integrated body and shall not delegate powers or determinations to committees of its members.

#### Sec. 6-2 Ordinances in General.

(a) Form. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one general subject which shall be clearly expressed in its title. The enacting clause shall be "The City of Highland Park ordains."

(b) Procedure. No ordinance may be enacted except an emergency ordinance until after six full days following its introduction. Enactment shall require the affirmative vote of a majority of the membership of the City Council. All ordinances shall take effect fifteen days after the date of enactment unless otherwise provided therein.

(c) Emergency Ordinances. Ordinances immediately necessary for the preservation of public peace, health, morals, safety or welfare may be given immediate effect, upon publication. An emergency ordinance shall automatically become null and void at the end of the sixty-first day following its enactment unless it is made permanent by an ordinance regularly enacted.

(d) Amendments. Ordinances may be amended by the adoption of subsequent ordinances following the above procedure for adoption of ordinances in the first instance. An amending ordinance shall set forth in full the section or subsection as amended but an ordinance, section or subsection may be repealed by identifying number only.

(e) Traffic and Parking Regulations. In any ordinance regulating traffic or parking, it may be provided that, subject to adequate standards to be set forth therein, the details of regulating traffic or parking may be promulgated by the Mayor without formality of ordinance amendment.

#### Sec. 6-3 Veto of Council Action.

No ordinance or resolution of the City Council shall have any force or effect if, within five business days, after the adoption thereof, the Mayor shall file in the office of the Clerk a notice, in writing, suspending the operation of such ordinance or resolution and setting forth his reasons therefore. In each case where the Mayor shall file such notice, such ordinance, or resolution shall not go into effect, unless the City Council shall, at the next regular meeting of the City Council thereafter vote to adopt such ordinance or resolution by the affirmative vote of four of its members. If any such ordinance or resolution shall be passed, it shall become effective according to the terms thereof as originally adopted, except that it shall not be effective sooner than fifteen days after the time of its last adoption as required herein.

**Sec. 6-4 Publication.**

- (a) Within seven days after the enactment of an ordinance, the same shall be numbered for identification and shall be published by one of the methods, set forth in Section 2-2(c), which is determined by City Council.
- (b) Each ordinance or a summary thereof shall be published before it takes effect. MCL 117.3(k).

**Sec. 6-5 Ordinance Record.**

All ordinances shall be recorded and authenticated by the City Clerk in a book kept for this purpose, but the failure of the Clerk to do so shall not invalidate or suspend its operation. All ordinances of general applicability or interest shall be made available at reasonable cost.

**Sec. 6-6 Enactment by Reference.**

Ordinances and codes may be enacted by reference to the extent and in the manner provided by general law.

**Sec. 6-7 Penalties.**

The City Council may provide for the punishment of violations of ordinances in accordance with state law.

**Sec. 6-8 Codification of City Ordinances.**

The City Council shall continue and maintain the codification of City ordinances. Each such codification or re-codification may omit such ordinance material as is out of date and no longer needed, may eliminate inconsistencies between existing ordinance provisions, may substitute comparable ordinance provisions for existing provisions, and may include additional ordinance provisions which may be deemed by the City Council to be needed to make the Ordinance Code of the City complete for its needs at the time, without the necessity of formal repeal, amendment, or original enactment.

**Sec. 6-9 Prior Legislation Preserved.**

All ordinances, resolutions, and rules of the City Council and of each administrative agency of the City, to the extent that they are consistent with the provisions of this Charter, which are in force on the effective date of this Charter, shall continue in full force, until repealed. All such ordinances, resolutions and rules may be amended by the City Council and shall stand as and subject to such amendment.

**Sec. 6-10 Initiative and Referendum.**

An ordinance may be initiated by petition, or a referendum on an ordinance enacted by the City Council may be had by a petition, as hereinafter provided.

**Sec. 6-11 Form of Petitions.**

The form of initiatory petitions shall be as follows:

To the Honorable City Council of the City of Highland Park, County of Wayne, State of Michigan:

We the undersigned registered electors of the City of Highland Park, under and by virtue of the authority granted by Act No. 279 of the Public Acts of 1909, as amended, and by Chapter 6 of the Charter of the City of Highland Park, do hereby propose and initiate for submission to the qualified electors of the City of Highland Park, in the County of Wayne, and State of Michigan, the following proposed ordinance:

**(Here set forth proposed ordinance in full)**

Name

Number

Street

Date of Signing

Circulator's Statement

I hereby certify that I circulated the above petition and that the signatures thereon are the genuine signatures of the persons so named and they are, to the best of my knowledge, registered electors of the City of Highland Park.

**Sec. 6-12 Initiative or Referendum.**

Each initiative or referendum petition (which may be in comparable form) shall be signed by not less than ten percent of the registered electors of the City as of the date of the last regular election. Each ordinance proposed to be adopted by the initiative shall conform to the requirements as to style and form set forth in this chapter. Such petition may be the aggregate of two or more petition papers. Each signer of a petition shall sign his name, and shall place thereon, after his name, the date and his place of residence by street and number. Such petition shall be filed with the Clerk who shall, within ten days, canvass the signatures thereon to determine the genuineness and the sufficiency of the number thereof. Any signatures obtained more than ninety days before the filing of such petition with the Clerk shall not be counted. If found to contain an insufficient number of genuine signatures of registered electors of the City, or to be improper as to form or compliance with the provisions of this section, the Clerk shall notify, forthwith, the person filing such petition, and ten days from such notification shall be allowed for the filing of supplemental petition papers. Such supplementary petition papers shall be canvassed by the Clerk within the same time after the filing thereof and for the same purpose as is herein required for the original petition. When a petition is determined by the Clerk to

contain the required number of genuine signatures, he shall present the petition to the City Council at its next regular meeting.

**Sec. 6-13 City Council Procedure.**

Upon officially receiving an adequate initiatory or referendary petition from the Clerk, the City Council shall, within thirty days, either:

- a. If it be an initiatory petition, adopt the ordinance as submitted in the petition or submit the proposal to the electors; or
- b. If it be a referendum petition, repeal the ordinance to which the petition refers or submit the proposal to the electors.

**Sec. 6-14 Submission to Electors.**

Should the City Council decide to submit the proposal to the electors, it shall be submitted at the next election held in the City for any purpose, or, in the discretion of the City Council, at a special election. The result shall be determined by a majority vote of the electors voting thereon, except in cases where otherwise required by law. Each ordinance which is submitted to the electors following an initiative or referendum therefore shall be published in full at least once, which publication shall be made not less than two weeks nor more than four weeks before the date of the election thereon.

**Sec. 6-15 Status of Ordinances Adopted.**

An ordinance adopted by the City Council or by the electorate pursuant to initiatory proceedings may not be amended or repealed by the City Council for a period of two years after the date of its adoption. Should two or more ordinances, adopted at the same election, have conflicting provisions, the one receiving the largest affirmative vote shall prevail.

**Sec. 6-16 Ordinance Suspended.**

The certification by the Clerk of the sufficiency of a referendary petition within fifteen days after the passage of the ordinance to which such petition refers shall automatically suspend the operation of the ordinance in question pending repeal by the City Council or final determination by the electors. An ordinance repealed by the City Council or by the electorate pursuant to referendary proceedings shall not be reenacted by the City Council for a period of two years after it is repealed.

## CHAPTER 7

### CITY ADMINISTRATION

#### Sec. 7-1 Administrative Responsibility.

The executive or administrative powers of the City, except as herein otherwise provided, are hereby vested in and shall be exercised by the Mayor and the administrative officers, boards and commissions prescribed or permitted to be created by this Charter.

#### Sec. 7-2 Administrative Officers.

(a) The administrative officers of the City shall be the Mayor, the City Clerk, the Treasurer, the City Attorney, the Finance Director, and the several department heads created by authority of law and so designated by the City Council.

(b) All administrative officers, including members of the several boards and commissions of the City, shall be appointed and may be suspended or removed by the Mayor, unless otherwise provided herein or by law.

#### Sec. 7-3 Duties of the Mayor.

Under the provisions of this Charter, insofar as is required by law, and for all ceremonial purposes, the Mayor shall be the administrative and executive head of the City and shall devote full time to the duties of his office. He shall be a conservator of the peace and may exercise within the City the powers conferred upon sheriffs to suppress disorder. He shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances and regulations of the City Council, and the authority of the City government. The powers and duties of the Mayor shall include the following duties and functions:

- (1) Keep an office in City Hall which is to be provided by the City Council;
- (2) See that all laws and ordinances are enforced within the City;
- (3) Exercise the veto power as set forth in this Charter
- (4) See that all terms and conditions imposed in favor of the City or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed;
- (5) Authenticate by his signature such instruments and proceedings as are required to be authenticated by him;
- (6) Prepare the annual budget proposal and present it to the City Council with an explanation thereof at the time and in the manner required by this Charter;
- (7) Keep the City Council fully advised at all times as to the financial conditions and needs of the City;

(8) On or before the fifteenth day of October in each year, prepare and submit to the City Council and the public, as of the end of the fiscal year, a complete report of the finances and administrative activities of the City during the prior fiscal year;

(9) Recommend to the City Council for adoption such measures as he may deem necessary or expedient;

(10) Be responsible for the efficient administration of all departments of the City government;

(11) Act as and be the spokesman for the administrative service and officers of the City, except for the Clerk and the Treasurer, insofar as their duties are provided by law;

(12) Keep himself informed and report to the City Council, either of his own accord or in answer to questions put by the City Council, concerning the work of the several administrative officers and departments of the City and, to that end, secure from the officers and the heads of all administrative departments such information and periodical or special reports as he or the City Council may deem necessary;

(13) Be a nonvoting member of all boards and commissions of the City, except as otherwise provided by this Charter or by ordinance;

(14) Exercise such other powers and perform such other duties as may be prescribed by law, or as may be required of him by ordinance or by resolution of the City Council;

(15) To manage and control all City property.

**Sec. 7-4 City Council President and Mayor Pro-Tem.**

The President of the City Council shall be the Mayor Pro-Tem during his term of office. In case of a vacancy in the office of Mayor, or his inability to perform the duties of the office by reason of sickness, absence from the City, or other cause, the Mayor Pro-Tem shall be the acting Mayor. When the Mayor Pro-Tem acts for the Mayor, other than in the case of a vacancy in the office of Mayor, he shall not have the power to appoint or remove the officers or department heads of the City. In case of a vacancy in the office of the Mayor, the Mayor Pro-Tem shall succeed to the office of the Mayor for the balance of the Mayor's term, or until a successor is elected as provided for in Sec. 4-13, and shall receive the compensation of the Mayor for that time. In the event that the Mayor Pro-Tem shall succeed to the office of Mayor, a vacancy shall be deemed to exist on the City Council, which shall be filled by appointment in the manner provided in this Charter. If the Mayor Pro-Tem shall refuse to succeed to the office of Mayor or Council Pro Tem shall likewise refuse thereafter, then the appointment of the Mayor shall be determined by the City Council as provided for in Sections 4-13 and 5-2 of this Charter.

**Sec. 7-5 Department of Law.**

a. The administrative head of the Department of Law shall be the City Attorney. He shall be appointed by the Mayor. The duties of the Department shall include, but shall not be limited to, the following:

- (1) Act as legal advisor to the City Council and shall attend its meetings, unless excused from;
- (2) Advise officers, departments and boards in matters relating to their official duties, when requested by them;
- (3) Defend the officers and employees of the City in all actions that may be brought against them for acts done in the performance of their duties as officers and employees of the City;
- (4) Prosecute Charter and ordinance violations;
- (5) Conduct such other actions in court and before other legally constituted tribunals as the City Council may direct;
- (6) Prepare or review all ordinances, contracts, bonds, and other written instruments which are submitted by the City Council or by the officers and boards in matters of legal nature relating to the affairs of the City.

(b) No board, commission or appointed officer shall employ or retain special counsel at City expense in any matter relating to the affairs of the City, without first securing the approval of the City Council of such employment or retainer, except as otherwise provided by law.

(c) In case of bona fide dispute between City officers as to their official duties or in other special situations, the City Council shall employ a special attorney for such purposes as it designates.

#### **Sec. 7-6 Department of City Clerk.**

The City Clerk shall be elected by the people as herein provided. His duties are as follows:

- 1) He shall be the Clerk of the City Council and shall keep a journal in the English language of every session of the City Council.
- (2) He shall certify, by his signature, all ordinances, resolutions, and other actions of the City Council and shall keep a record thereof.
- (3) He shall, upon request, administer any oath required for Municipal purposes by law and the ordinances of the City.
- (4) He shall be custodian of all papers, documents, surety bonds, and records which pertain to the City, the custody of which is not otherwise provided.
- (5) He shall issue and record all licenses required by ordinance and shall counter-sign and record all licenses required to be issued by any other City officer by law. He shall be able to authorize and grant the issuance of any and all licenses without the approval and oversight of City Council



with the exception of any and all licenses involving the sale of alcohol and the conduct of entertainment establishments for the general public. Any and all of his authority in this subsection shall be governed in accordance with state and federal laws.

(6) He shall be custodian of the City Seal and shall attest such documents and instruments as require attestation by him.

(7) He shall give ample notice to the City Council of the expiration or termination of any franchise, contract, or agreement to which the City is a party, and to officers, personally, of any official bonds required of them.

(8) He shall provide and maintain in his office a supply of forms for all petitions required to be filed for any purpose by the provisions of this Charter and of any ordinance of the City.

(9) He shall be the chief elections officer of the City.

(10) He shall notify the City Council concerning any elected officer who fails to qualify for the office to which he has been elected within the time and the manner provided by law, and the Mayor concerning any appointive officer who fails to so qualify.

(11) He shall be the custodian of the official journal or minutes of each board and commission as provided for by law or by ordinance.

(12) He shall perform all duties required of him by law and the ordinances of the City.

(13) He shall provide, on an annual basis, at least one (1) educational seminar on voting and the issuance of local licenses. Said topics may be addressed within the same seminar or in separate seminars. The determination of how such seminar(s) shall be conducted shall be in the exclusive province of the Clerk.

(14) He shall open all public bids in accordance with state law and provisions of this Charter.

#### **Sec. 7-7 Department of City Treasurer.**

The City Treasurer shall be elected by the people.

(a) The City Treasurer shall receive, have custody and account for all moneys belonging to and receivable by the City, including license fees, parking meter revenues, taxes, assessments, and funds available from County, State or Federal governments or other sources.

(b) He shall deposit all funds in depositories designated by the City Council and maintain facilities for the safe keeping of securities, records, investments, intangibles and other assets of the City as designated by the City Council.

(c) He shall disburse money and assets under his control only upon authority of the City Council upon warrants signed by the Finance Director and the Clerk or their deputies.

**Sec. 7-8 Department of Finance.**

The Finance Director shall be appointed by the Mayor. The Finance Director shall have a college major in accounting or three years of practical experience in accountancy. He shall have general charge of the functions of purchasing, auditing, budget preparation and control and tax administration for the City. He shall appoint and may remove such division heads as may be authorized by the City Council. The duties of the Finance Director shall include, but shall not be limited to, the following:

- (1) Prepare for the Mayor a tentative budget consisting of information in adequate detail on anticipated tax and nontax revenues, operational and capital expenses, borrowings, payrolls and similar data;
- (2) Prepare and submit to the Mayor and City Council a monthly and annual financial statement accurately showing the exact financial condition of the City and its funds, debts, credits, and transactions;
- (3) Maintain a general accounting and inventory system which shall be in conformance with any uniform system of accounts required by law;
- (4) Supervise the disbursement of all moneys and assets by the City and exercise continuous budget control to insure that appropriations are not exceeded and that collections are effectuated;
- (5) Make all purchases for the City and its agencies, approve all vouchers therefore before payment, maintain an inventory and safely keep and issue supplies, and supervise all purchases and sales of real and personal property for the City subject to such regulations or ordinances as may be promulgated by the City Council;
- (6) Be the City Assessor.

The Finance Director shall have such powers and shall perform such functions as are customarily incident to the above items and also such powers and duties as may be imposed from time to time by the City Council.

**Sec. 7-9 Compensation Commission.**

- (1) Pursuant to the power of this Charter, a compensation commission shall be established to determine the appropriate annual compensation of all elected officials and their appointees. Additionally, this Commission shall determine when compensation adjustments are necessary.
- (2) The compensation commission shall consist of five members.
  - a. The Mayor shall appoint two members. One of the Mayor's appointees shall be selected from one of the top five business taxpayers in the City of Highland Park.
  - b. The Mayor's second appointee must be a resident of Highland Park.

- c. The City Council shall appoint two members, both of whom shall be city residents.
- d. The four appointed commission members will select a fifth, who is not required to be a Highland Park resident.

(3) Commission members' terms shall be four years.

- a. A commission member shall only be removed for cause.

(4) The compensation commission shall meet at least six months prior to the Highland Park municipal elections.

- a. In order for the commission to wield its power, four members must vote in the affirmative.

(5) Once the members of the compensation commission are in place they shall select a chairman and vice chairman in order to conduct the business of their meetings.

**Sec. 7-10 Departments of Fire and Police.**

(1) For the purpose of maintaining peace and order in the City and for protecting persons and property, both a Police Department and a Fire Department shall be maintained. Such departments shall not be combined.

(2) The executive head of the Police Department shall be the Chief of Police and the executive head of the Fire Department shall be the Fire Chief. The Chief of Police and the Fire Chief shall each hold his position by virtue of appointment as provided by law and shall be responsible to the Mayor for the performance of his respective duties as the executive head of his department, and shall be subject to removal by the Mayor in the manner permitted by law.

(3) Each member of the Police and Fire Departments shall, before entering upon the duties of his office or employment, take an oath similar to that required of officers of the City and shall file a copy thereof, subscribed by him, with the Clerk.

(4) The plan of civil service for Policemen and Firemen as established by Act No. 78 of the Public Acts of 1935, as amended, which was in effect in the City on the effective date of this Charter is hereby continued under this Charter and incorporated therein by reference with all future amendments, with the same force and effect as though fully set forth therein and nothing is hereby added to or deleted from such act by such incorporation.

(5) No member of the Police Department, other than the head of the Department or his assistant, regardless of rank, shall be required to be on duty in such employment for more than eight consecutive hours out of any twenty-four hour period on five consecutive days, nor more than forty (40) hours out of each week, except as permitted by law. Provided, that such forty (40) hour limitation shall not apply to time required to be devoted to training, educational or emergency work or for disciplinary purposes.

(6) Each member of the Police Department who is required to work any time or times in addition to that set forth in subsection (5), during any emergency, which shall be declared by the Mayor, shall be excused from work for a period equal to such overtime, or recompensed for such time at the minimum rate of one and one-half times his normal pay, if such payment be authorized by the City Council.

(7) No member of the Fire Department, except the head of the Department or his assistant, who is employed in fire fighting or subject to the hazards thereof, shall be required to be on duty in such employment more than the time permitted by law, nor in any case more than an average of fifty-six hours per week over any eight week period, except as permitted by law.

(8) Each member of the Fire Department who is required to work any time or times in addition to that set forth in subsection (7) during any emergency which shall be declared by the Mayor, shall be excused from work for a period equal to such overtime, or recompensed for such time at the minimum rate of one and one-half times his normal pay, if such payment be authorized by the City Council.

(9) The functions and authority of the Fire and Police Departments and their respective personnel shall be such as are commonly attributed to them or may be imposed by the laws of the State, this Charter, or the ordinances of the City.

**Sec. 7-11 Department of Public Works.**

(a) The Director of Public Works shall be appointed by the Mayor. He shall be qualified by law for performing engineering design and supervision of public construction projects and by training and experience in the field of sanitary and public works engineering. He shall be in general charge of the Department and shall appoint and may remove such division heads as may be authorized by the City Council.

(b) The Director of Public Works shall also have the following duties and powers:

(1) Plan, program and complete all public works activities as outlined in the Charter, ordinances or resolutions of the City;

(2) Make all appointments of personnel within the Department subject to the provisions of this Charter and the ordinances of the City;

(3) Supervise the preparation of the departmental budget and of capital improvements of public works character;

(4) Represent the Department and all divisions thereof in all official transactions and contacts with agencies outside the Department.

(c) The Department of Public Works shall have general responsibility for the following functions: construction and maintenance of streets, alleys, sidewalks, public ways and buildings, parks, curb strips, trees, shrubs and public grounds; motor, mechanical and

general service; City engineering; traffic engineering; contract specifications; inspections and code enforcement such as plumbing, heating, electrical, air conditioning, refrigeration, buildings, elevators, fire escapes; and such other related functions as may be delegated to it.

(d) It shall maintain records concerning the boundaries of the City, the location of streets, alleys, and public places, and of all utility and sewer mains, lines, conduits, manholes, valves, junctions and appurtenances located therein and shall make or cause to be made all necessary surveys, maps, plats, diagrams, plans and specifications for all public improvements, buildings, and grounds of the City.

(e) The Department may continue to operate through divisions and the Director shall organize and assign functions thereto unless otherwise directed by ordinance.

(f) The City Council shall have power to employ the engineering services of any qualified engineer or firm in connection with any engineering work, except where it will result in a reduction of established City employment. Such work may be performed in conjunction with or independently of the Director of Public Works, but a copy of all final plans and specifications provided shall be filed with the Department.

**Sec. 7-12 Planning Department.**

There is hereby created a Planning Department and Planning Commission. The members of the Planning Commission shall possess the qualifications required by this Charter for elected officers, and shall be appointed by the Mayor subject to the approval thereof by the City Council. With the consent of the City Council, one of such persons may be a nonresident of the City who has an interest in the planning of the area of which the City of Highland Park is a part. The Planning Department and Commission shall operate in accordance with the provisions of the Michigan Planning Enabling Act, 2008 PA 33, MCL 125.3801, *et. seq.*

**Sec. 7-13 Library Commission.**

The Library Commission of the City of Highland Park, having been created under authority of the previous Charter of the City, is hereby continued. The members of such Commission shall be appointed by the Mayor for such terms of office as the City Council shall provide, and shall perform such duties and exercise such powers as are or shall be provided by the City Council. With the consent of the City Council, one of the members of the Library Commission may be a nonresident of the City.

**Sec. 7-16 Recreation.**

The City Council shall provide for the recreation program of the City including parks, playgrounds, reading rooms, and both open and enclosed spaces for the conduct thereof. It may combine with the school district or other units of government in the ownership and operation of such facilities and programs.

**Sec. 7-17 Consolidation or Addition of Departments.**

Notwithstanding other provisions of this Charter, the Council may, by ordinance, consolidate or abolish or create new departments or divisions within them, may re-name them, and may change

or rearrange the functions thereof and the officers to be responsible therefore. No such ordinance shall be adopted, however, unless the City Council expressly finds that the efficiency and effectiveness of the administration of the City would be promoted thereby. No essential Municipal function or service nor any duty imposed by law may be abolished.

**Sec. 7-18 Advisory Boards.**

The Mayor and City Council, separately or jointly, may from time to time appoint such boards, committees or commissions as are deemed appropriate or necessary to advise and consult with them and with appropriate officers or department heads of the City regarding any Municipal activity or to carry out duties established by State or Federal laws or other appropriate authority. Such boards, committees or commissions shall serve temporarily and without compensation unless otherwise provided by the City Council.

(1) Citizens District Advisory Councils (CDAC's)

CDAC's exist to meet with residents in their respective districts and discuss ideas pertinent to those neighborhoods. Ideas will be shared amongst the various CDAC's and with City officials to promote a more efficient and enjoyable city.

- a. There shall be six districts that comprise the CDAC's. There shall be two (2) districts in each proposed city council district.
- b. Each District Council will have five members. Two of the members shall be appointed by the Mayor and two shall be appointed by City Council. The fifth member will be selected by the four members already appointed.
- c. All CDAC members must be Highland Park residents.
- d. CDAC members will not be compensated for their service, and lack the capacity to execute any official act of the City.
- e. CDAC members serve at the pleasure of the appointing authority. However, the member selected by their peers, can be removed if a majority of the appointed members agree to do so.

(2) The Mayor and City Council shall meet with each district council at least twice a year to discuss issues that affect and concern the citizens living in that area.

(3) Non-At-Large City Council members shall meet at least twice a year with their respective CDAC'S.

- a. City Council's at-large members shall meet at least once a year with each District Council.

(4) CDAC members will serve three year terms, unless they are reappointed or removed.

(5) The CDAC'S shall select officers in order to conduct their meetings in an orderly manner.

**Sec. 7-19 Employees' Group Benefits.** The City Council shall have power to provide or to make available to the officers and employees of the City, and their dependents, recognized standard plans of group life, hospital, medical and surgical, health, accident, and other forms of group insurance, including Federal old age and survivors' insurance under any plan therefore provided or permitted by the State or Federal law, longevity benefits, and such other benefits as the City Council may determine to be in the best interests of the City. Such power may include, in the discretion of the City Council, retired officers and employees, unless otherwise provided in this Charter.

**Sec. 7-20 Salary Assignments Prohibited.**

Salary Assignments Prohibited. Salaries and wages of officers and employees of the City shall not be assignable by such officers and employees, nor shall deductions be made from except for the payment of taxes and assessments of the Federal, State and Local governments, and subject to such conditions and rules as the City Council shall provide, premiums for insurance benefits authorized herein, and, when also authorized by the payee thereof, for the payment of union dues, for the purchase of Federal bonds or instruments of indebtedness, for charitable purposes, for employee credit union saving accounts or payments, and for the purchase of goods or merchandise made or through the City.

**Sec. 7-21 Holidays.**

Holidays shall be determined by ordinance, and where this Charter declares a holiday All employees of the City shall be entitled to holidays with pay, except those employees in departments where continuous service is required, then, in that case, the employees who are required to work on the aforesaid holidays shall be paid at least twice their regular rate of compensation. Employees shall be construed to include policemen and firemen.

**Sec. 7-22 Deputies.**

The Clerk, City Attorney, Finance Director, Treasurer, Public Works Director, and such other officers or department heads of the City as the City Council may designate may appoint and remove deputies to perform duties in the name and stead of such officer or department head.

**Sec. 7-23 Assessor.**

The Finance Director shall be the City Assessor. He shall prepare assessments, tax rolls, and exemptions as well as exercise such powers as are vested in, and perform such duties as are imposed upon, assessing officers by law. He shall also prepare all special assessment rolls for the financing in whole or in part of improvements in the City.

## CHAPTER 8

### BUDGET PROCEDURE AND GENERAL FINANCE

#### Sec. 8-1 Fiscal Year.

The fiscal year of the City shall begin on the first day of July of each year.

#### Sec. 8-2 Budget Procedure.

On or before the first day of February of each year, each officer and department head shall submit to the Finance Director estimates of the expense of operating their several offices and departments for the period of one year next succeeding first day of July following and a complete statement of expected revenues. The Finance Director shall tabulate the statements so submitted and present the same to the Mayor with the data required by Section 8-4 hereof. Such tabulation shall be so arranged that, in addition to the tabulation and data required, there shall be additional columns for tabulating the recommendations of the Mayor and the determinations of the City Council concerning each proposed expenditure item. The tabulation of the Mayor's recommendations shall constitute his budget proposal and shall be presented to the City Council on or before the third Monday in April. The proposed expenditures recommended by the Mayor shall not exceed the expected revenues of the City for the next fiscal year by an amount greater than the expected unexpended and unencumbered funds estimated to remain in the City's Treasury at the end of the current fiscal year.

#### Sec. 8-3 Budget Statement of Mayor.

The Mayor shall submit to the City Council, with each budget proposal, a budget statement, which shall explain the budget proposal and contain an outline and explanation of the proposed financial policies of the City relating to its operations for the next fiscal year.

#### Sec. 8-4 Budget Proposal.

The Finance Director's budget tabulation shall present a complete financial plan for the next fiscal year. It shall include the following:

- (1) Detailed estimates of all proposed expenditures for each department and office, showing, in parallel columns:
  - (a) The expenditures for corresponding items for the last preceding fiscal year;
  - (b) The appropriations and expenditures therefore of the current fiscal year to the last day of January, with estimates of the expenditures therefore to the end of the current fiscal year; and
  - (c) The requests therefore of the several officers and department heads.
- (2) Statements of the bonded and other indebtedness of the City, showing the debt redemption and interest requirements, the debt authorized and unissued, and the condition of sinking funds, if any.



(3) Detailed estimates of all anticipated revenue from sources other than taxes and borrowing, with a comparative statement of the amounts received from the same or similar sources for:

(a) The last preceding fiscal year; and

(b) The actual receipts of the current fiscal year to the last day of January, and an estimate thereof for the balance of the year.

(4) A statement of the estimated amount of unexpended and unencumbered funds anticipated to remain in the City's Treasury or deficit for the end of the current fiscal year.

(5) An estimate of the amount of revenue from current and delinquent taxes and the amount to be raised by borrowing, which, together with revenue from other sources, will be necessary to meet the proposed expenditures.

(6) Such other supporting information and schedules as the City Council or the Mayor may deem necessary.

**Sec. 8-5 Budget Proposal is a Public Record**

Each Budget proposal, together with all supporting schedules, will be filed with the City Council, on or before the third (3<sup>rd</sup>) Monday in April, by the Mayor and served via email to said City Council members. A copy thereof shall be available for public inspection in the Clerk's office for preview by the Public at least 14 days prior to the Public Budget Hearing. Notice requirements shall comport with and adhere to state law, specifically MCL 141.412, which requires notice by newspaper publication of this public hearing at least six (6) days before the hearing and shall provide notice as to the availability of the budget for public inspection.

**Sec. 8-6 Adoption of Budget.**

On or before the Friday following the second Monday in May the City Council shall conduct such hearings as may be required by law and by resolution, adopt a budget for the next fiscal year and in such resolution shall make an appropriation of the money budgeted for Municipal purposes during the next fiscal year and determine the amount necessary to be raised by taxation.

**Sec. 8-7 Consequences of Budget Adoption.**

**Copies of the budget as adopted or of appropriate portions thereof, shall be furnished by the Clerk to each officer and department head, the final adopted budget must be placed on the City website within seven days of adoption, and upon request, shall be furnished at cost in accordance with charges authorized for city records as provided in the Freedom of Information Act, MCL 15.231, *et. seq.***

**Sec. 8-8 Operating Appropriations – Expenditures and Transfers.**

(a) After the budget has been adopted, no money shall be drawn from the Treasury nor shall any obligation for the expenditure of money be incurred for payment

during the fiscal year to which such budget applies, except pursuant to an appropriation therefore. Upon the recommendation of the Mayor, the City Council may, however, transfer any unencumbered operating appropriation balance, or any portion thereof, from one operating fund or account to another. At the end of each fiscal year, the City Council may transfer any unencumbered balance or any part thereof in any budget appropriation into one or more public improvement funds created under authority of Section 8-16 of this Charter. If not so transferred such balance shall revert to the General Fund.

- (b) No transfer exceeding four thousand dollars (\$4,000.00) shall be made from one fund to another, except by the concurring vote of the City Council. Transfers below four thousand dollars (\$4,000.00) may be made by the Mayor.

**Sec. 8-9 Depository and Investment of Funds.**

The City Council shall designate the depository or depositories for City funds and shall provide for the regular deposit of all City moneys. Idle moneys may be invested according to the general laws of the State as the City Council may determine.

**Sec. 8-10 Budget Control.**

At the beginning of each month, and at other times if required by the Mayor, the Finance Director shall submit to the Mayor data showing the financial position of the City. If it appears that the income of the City is less than anticipated, the City Council, upon the recommendation of the Mayor, shall revise or amend the budget as may be necessary, except as to amounts required for debt and interest charges, in accordance with the Uniform Budgeting and Accounting Act, MCL 141.421, *et. seq.*, to avoid deficit spending.

**Sec. 8-11 Contractual Claims Against City.**

All contractual claims against the City shall be filed with the Finance Director who shall verify the correctness of each claim and whether it is a proper charge against the City.

**Sec. 8-12 Damage Claims Against City.**

The City shall have all the immunities from claims for damages for injury to persons or property as may be permitted by law. The requirements for lawsuits against the City are governed by state law.

**Sec. 8-14 Withdrawal of City Funds.**

All funds of the City drawn from the Treasury shall be drawn pursuant to an appropriation by the City Council and by warrants signed by the Finance Director and Clerk. Each warrant-check shall specify the fund or funds from which it is payable.

**Sec. 8-15 Independent Audit.**

An independent audit shall be made of all accounts of the City at least annually, and more frequently if the City Council deems necessary. Each such audit shall be made by certified public accountants and shall correspond to generally accepted auditing standards applicable to cities. A complete summary of the audit shall be made public.

**Sec. 8-16 Funds for Public Improvements.**

The City may establish and maintain a fund or funds, including a revolving fund for special assessment projects, for the purpose of accumulating moneys to be used for making, acquiring, extending, altering, or repairing public improvements. Moneys so accumulated may be transferred, encumbered or otherwise disposed of only for the purpose for which they were accumulated unless another purpose is approved by a resolution of the City Council.

**Sec. 8-17 Municipal Borrowing Power.**

(a) Subject to the applicable provisions of law, the City may borrow money for any purpose within the scope of its powers, and may issue bonds or other evidences of indebtedness therefore. Such bonds or other evidences of indebtedness shall include, but not be limited to:

- (1) General obligation bonds;
- (2) Special assessment bonds;
- (3) Revenue bonds;
- (4) Mortgage bonds for the acquiring, owning, purchasing, constructing, improving, or operating of any public utility which the City is authorized by law to finance in this manner;
- (5) Tax anticipation notes;
- (6) Calamity bonds, issued in case of fire, flood, or other calamity;
- (7) Bonds for the City's share of the cost of local improvements, which bonds may be issued as a part of, or independently of, any special assessment bonds which are issued for the same improvement or improvements;
- (8) Bonds for refunding indebtedness of the City;
- (9) Budget bonds as authorized by **state law**;
- (10) Time-purchase contracts as authorized elsewhere herein.

(b) Each bond or other evidence of indebtedness shall contain on its face a statement of the purpose for which the same is issued and no officer of the City shall use the proceeds thereof for any other purpose, except that, whenever the original proceeds of any bond issued, or a part thereof, remain unexpended and unencumbered for the purpose for which said bond issue was made, the City Council may authorize the use of such unexpended fund as permitted by law:

- (1) For an additional extension or improvement of the facility or project for which the bond issue was made;
- (2) For the retirement of such bond issue;

(3) If such bond issue has been fully retired or funds are segregated which are adequate for such purpose, then for the retirement of other bonds or obligations of the City;

(4) If there is no other indebtedness, or funds are segregated which are adequate for such purpose, then for such other purposes as may be permitted by law.

(c) All collections on each special assessment roll or combination of rolls, in anticipation of which bonds have been issued, shall be set apart in a separate fund (but not necessarily in a separate bank account) and shall be used for the purpose for which levied and for payment of the principal of and interest on such bonds. If there is any deficiency in a special assessment fund to meet the payment of the principal and interest to be paid from, moneys shall be advanced from the General Fund of the City to meet such deficiency and shall be replaced in the General Fund when the special assessment fund shall be sufficient therefore.

(d) All bonds issued by the City shall be signed by the Mayor and countersigned by the City Clerk, and shall bear the corporate seal of the City. Said signatures may be by facsimile if permitted by law. Any attached coupons may be signed with the facsimile signature of the City Clerk.

(e) The City Treasurer shall keep a detailed record of all bonds and other evidence of indebtedness. Upon payment of the same the Clerk shall mark them "cancelled" and keep them until their destruction is permitted by general law.

## CHAPTER 9

### TAXATION

#### **Sec. 9-1 Power, Limitation and Subject of Taxation.**

The City shall have the power to assess taxes and to levy and collect rents, tolls, and excises, and including all powers now or hereafter granted to cities by the State of Michigan. Exclusive of any levies authorized by law to be made beyond Charter tax rate limitations, the annual ad valorem tax levy shall not exceed two percent (2%) of the taxable value of all real and personal property of the City. The subjects of ad valorem taxation for Municipal purposes shall be the same as for State, County, and school purposes under the general laws. Except as otherwise provided in this Charter, City taxes shall be assessed, levied, collected and returned in the manner provided by statute. No exemptions from taxation shall be allowed except as expressly required or permitted by law.

#### **Sec. 9-2 Assessment Roll.**

Between tax day and the first meeting of the Board of Review in each year, the Finance Director, as City Assessor, shall make and complete an assessment roll in the manner and form provided in the general tax law.

#### **Sec. 9-3 Board of Review.**

A Board of Review is hereby created as follows:

(a) Composed of the entire membership of the City Council. They shall meet annually as required by law and select a Chairman from their number. They may select a Clerk, who may be the Assessor. They shall perform the functions and have the privileges of assessors under the general law; or

(b) City Council may appoint a Board of Review to hear and determine appeals from property tax assessments. The Board shall process the duties and powers provided by law, which may be exercised by the whole Board or by committees thereof. Such Board of Review under this subsection (b) shall be representative of a cross-section of the community and shall be composed of three, six or nine residents and electors of the City, who shall be appointed by a majority of the City Council. Resident shall be construed to mean an individual with actual domicile in the City. If six or nine members are appointed as provided by this subsection, the membership of the Board of Review shall be divided into Board of Review committees consisting of three members each for the purposes of hearing and deciding property valuation issues being protested. As far as possible, different professions and occupations and persons having knowledge of and familiarity with real estate property values, assessment practice and taxation shall be represented on the Board. Members appointed shall serve for terms of two years beginning at 12:00 noon on January 1 of each odd-numbered year. Each member of the Board of Review shall qualify by taking the constitutional oath of office within ten days after appointment. Any vacancies on the Board of Review shall be filled by a majority of the City Council. A Board member may be removed from office without cause by a majority of the City Council members. The Board members shall not be members of any other City agency,

board, department, commission or other division of the City. A member of the City Council shall not be eligible to serve on the Board of Review or a committee or to fill any vacancy. At least two members of a three member Board of Review or committee shall be present to conduct any business or hearings of the Board of Review. A majority of the entire Board of Review membership shall endorse the assessment roll as provided for by law. Except for hearing and deciding property valuation protests, the duties and responsibilities of the Board shall be carried out by the entire membership of the Board of Review and a majority of the membership shall constitute a quorum for such purposes.

**Sec. 9-4 Notice of Meetings.**

Notice of the time and place of the annual meeting of the Board of Review shall be published not less than one week nor more than three weeks prior thereto.

**Sec. 9-5 Endorsement and Validity of Roll.**

Immediately after the review of the assessment roll, a majority of the Board of Review shall endorse the roll, as required by law. The omission of such endorsement shall not affect the validity of the roll. It shall be presumed by all courts and tribunals to be valid, and shall not be set aside, except for cause set forth by law.

**Sec. 9-6 Clerk to Certify Levy.**

Within three days after the adoption of the annual budget and appropriation resolution by the Council, the Clerk shall certify to the Assessor the total amount which the Council determines shall be raised by general property taxation, together with such other assessments and lawful charges and amounts which the Council requires to be included in the annual levy.

**Sec. 9-7 Assessment of Taxes.**

The Assessor shall take said assessment roll as thus completed and adopted by the Board of Review, and the certificate of the Clerk pursuant to the budget and appropriation of the Council, together with any school district levy to be incorporated into the summer assessment and collection of taxes, and prepare a "General Tax Roll," by spreading thereon collectively to each person and property assessed the funds required to be raised by property taxation pursuant thereto or pursuant to other valid procedures, but subject to the limitations imposed by law.

**Sec. 9-8 Warrant.**

Upon delivering said general tax roll to the City Treasurer on or before June 15 of each year, the Assessor shall annex thereto his warrant over his signature, with the Seal of the City affixed, commanding the Treasurer to collect from the several persons named in said roll the several sums mentioned therein and enforce payment as provided herein or by general law.

**Sec. 9-9 Lien and Persons Liable.**

All taxes thus assessed shall become a debt due the City as provided by general law and, as of July 1 of the year of assessment, the said taxes, both real and personal, with any applicable charges, fees or penalties shall become a lien, paramount to all other claims, encumbrances or liens, upon the property against which they are assessed until paid.

**Sec. 9-10 Statement to Taxpayers.**

Upon receipt of said general tax roll, the Treasurer shall proceed to collect the taxes. He shall prepare and mail to each taxpayer, at his last known address on the tax roll, a statement or billing showing the description of the property, the assessed valuation, and the tax payable, but the failure to send or receive such statement shall not prejudice the validity of the tax or the right and duty to collect or enforce payment thereof.

**Sec. 9-11 Tax Collection Schedule and Charges.**

All City and school taxes, charges, and assessments spread upon general tax roll for collection which are paid on or before the fifteenth day of August of the same year shall be collected without additional charge. To all such taxes paid after the fifteenth day of August, there shall be added a collection charge of one percent for each and every month or fraction thereof that the same remains unpaid before payment; provided, however, that, if any person shall pay one-half of the City taxes and any charges or assessments and one-half of any school taxes due and payable on July first on or before the thirty-first day of July of that year, he may pay the other half of such taxes, charges, and assessments on or before the thirty-first day of October of the same year without additional charge. Should such second half not be paid on the said thirty-first day of October, the same shall be subject when paid to a collection charge of one percent per month or fraction of a month from the preceding fifteenth day of August. The collection charges herein provided shall not be deemed to constitute interest, but a charge reflecting the additional cost to the City of collecting taxes not paid promptly. All such charges, when paid, shall be the property of the City.

**Sec. 9-12 State, County and School Taxes.**

For the purpose of assessing and collecting taxes for State, County, and school purposes, the City shall be considered the same as a township. In all proceedings relating to the assessment, spreading, and collection of such taxes and the receipt and disbursement thereof, the Assessor, Clerk, and Treasurer shall have like powers and duties as are prescribed by law for supervisors of townships, township clerks, and township treasurers, respectively.

**Sec. 9-13 Protection of City Lien.**

The City shall have power, insofar as the exercise thereof shall not conflict with or contravene the provisions of law, to acquire such an interest in any premises within the City, by purchase at any tax or other public sale, or by direct purchase from or negotiation with the State of Michigan or the fee owner, as may be necessary to assure to the City the collection of its taxes, special assessments, or charges which are levied against any lot or parcel of real property or to protect the lien of the City therefore, and may hold, lease, or sell the same. Any such procedure exercised by the City to assure the collection of its taxes or the protection of its tax or other liens shall be deemed to be for a public purpose. The Council may adopt any ordinance which may be necessary to make this section effective.

**Sec. 9-14 Collection of Delinquent Taxes.**

All City taxes and assessments upon real property on the tax roll, remaining uncollected by the Treasurer on the first day of March following the date when the roll was received by him shall be subject to one of the following procedures:

(1) The same may be returned to the County Treasurer in the same manner and with the like effect as provided by law for returns by township treasurers of Township and County taxes. Such returns shall include all the additional charges and assessments hereinbefore provided, which shall be added to the amount assessed in said tax roll against each property or person: provided, that the Treasurer may, in lieu of adding collection charges to the taxes, charges, and assessments returned to the County Treasurer, enter the same in a separate column of the delinquent tax roll. The taxes thus returned shall be collected in the same manner as taxes returned to the county treasurers are collected, by law, and shall be and remain a lien upon the property against which they are assessed until paid.

(2) In lieu of returning such delinquent taxes, charges, and assessments to the County Treasurer, as aforesaid, the City Council may adopt an ordinance providing for the holding of City tax sales of tax delinquent land. The procedure established by such ordinance for the holding of City tax sales shall correspond to that established by law for the holding of tax sales by county treasurers, except that City tax sales shall be held not less than thirty days nor more than ninety days prior to corresponding tax sales held by county treasurers, the City Treasurer and City Council shall perform the duties performed by county treasurers, and the redemption provisions may be more favorable to the owners of property sold at tax sale than those provided by the general tax laws of the State.

**Sec. 9-15 Disposition of Real Property Held by City.**

When the City has acquired any property to protect the City's tax lien thereon, the owner of any interest therein, by fee title, as mortgagee, or as vendor or vendee under a land contract, shall have the right to purchase the City's interest therein, upon payment to the City of the amount of money which the City has invested therein in the form of unpaid taxes, special assessments, charges, fees, penalties, interest, and costs. After the lapse of ninety days after the date that the City acquires title to any such property, the City Council may determine that such property is needed for and should be devoted to public purposes, naming such purpose or purposes, or may sell the same at a price which shall be not less than its market value, as determined and certified by the Assessor.

**Sec. 9-16 Failure to Pay Personal Property Tax.**

If any person, firm or corporation shall neglect or refuse to pay any personal property tax assessed to him or them, the Treasurer shall collect the same by seizing the personal property of such person, firm or corporation to an amount sufficient to pay such tax and applicable fees together with charges for subsequent sale costs, wherever the same may be found in the State, and from such seizure no property shall be exempt. He may sell the property seized to an amount sufficient to pay the taxes and all charges in accordance with general law. If otherwise unable to collect a tax on personal property, the Treasurer may sue therefore the person, firm or corporation to whom it is assessed.

**Sec. 9-17 Jeopardy Assessment of Personal Property Taxes.**

Whenever the proper conditions exist, the Treasurer shall accelerate the date on which personal property taxes shall be collected, as provided by general law. Taxes, assessments, interest and other charges shall be returned to the County Treasurer in the manner provided by law for returns by township treasurers for Township, County and school taxes, and the same shall be collected in



the same manner by the County Treasurer, and shall remain a lien upon the property against which they are assessed or chargeable until paid.

**Sec. 9-18 Inequitable Assessment or Tax.**

If it shall be found, at any time, that any property has been subjected to a substantially inequitable assessment or tax, as by reason of errors in computations, decimal misplacement, double entries, and the like, so that the same amounts to a constructive fraud upon the taxpayer, and if the City Attorney shall prepare and file a written memorandum indicating that, under current statutes and case law, relief would be granted by a court of competent jurisdiction, then the City Council may so determine and declare by resolution without requiring the commencement of court proceedings and any necessary adjustment may be taken from the General Fund of the City.

**Sec. 9-19 Tax Clearances.**

The City shall undertake any and all legal action necessary to seek the payment of outstanding property taxes and shall provide notices to any and all governing bodies who may be involved in the transfer of land title and provide notice to the general public of any such outstanding encumbrance on said land title.

It shall be the duty of the City Treasurer or such other agency as the City Council may designate, upon request and after the payment thereof, to furnish a certificate that all such taxes and assessments have been paid, and such certificate shall be filed with the Register of Deeds when the document is submitted for record. A fee to be fixed by the City Council may be charged for issuing the certificate.

## CHAPTER 10

### SPECIAL ASSESSMENTS

#### **Sec. 10-1 Special Assessment Power.**

The City Council shall have the power to determine, with or without a petition therefore, that the whole or any part of the expense of any public improvement or repair shall be defrayed by special assessment upon the parcels of property especially benefited and so declared by resolution. Such resolution shall state the estimated cost of the improvement, what portion of the cost shall be paid by special assessment, what portion, if any, shall be a general obligation of the City, the number of installments in which assessments may be paid, the interest to be charged, and designate the districts or land and premises upon which special assessments shall be levied.

#### **Sec. 10-2 Procedure Ordinance.**

The City Council shall prescribe by general ordinance the complete special assessment procedure to be used, including the preparing of plans and specifications, estimated costs, a hearing on necessity, the preparation, hearing, correction and confirmation of the special assessment roll, the collection of special assessment, the assessment of single lot or parcels, the apportionment of assessment if land is divided, and any other matters concerning the making of improvements by the special assessment method. Said ordinance shall authorize additional assessments if the prior assessment proves insufficient to pay for the improvement and costs incident thereto or in case of invalidity in whole or in part, and it shall provide for the refund of excessive assessments, provided that if the excess is less than five percent of the total cost it may be placed in the General Fund of the City.

#### **Sec. 10-3 Assessment Lien.**

From the date of confirmation of any assessment or reassessment roll the same shall constitute a lien upon the respective lots or premises assessed and shall also be a charge against the person to whom assessed until paid, and, in case of delinquency, may be enforced by addition to any later return to the County Treasurer of regular taxes or by suit against such person.

#### **Sec. 10-4 Contest of Assessment.**

Appeals of Special Assessments as promulgated by Section 35a(5) and (6) of the Tax Tribunal Act, MCL 205.735a(5) and (6), require that, as a prerequisite to appeal a special assessment, the property owner shall protest the special assessment at the hearing held by City Council for the purpose of confirming the special assessment.

## CHAPTER 11

### COURTS

The organization, powers, procedures and practices of the courts with jurisdiction for cases involving violations of this Charter or city penal ordinances shall be as provided by state law. Pursuant to the Revised Judicature Act, MCL 600.8101, *et. seq.*, the Thirtieth (30<sup>th</sup>) District Court consists of the City of Highland Park and is a district of the third (3<sup>rd</sup>) class, and has one (1) judge. MCL 600.8121(15).

The City may make appropriations for the operation of any court where it is in the city's interest to do so and shall dispose of revenues resulting from the collection of fines in accordance with law.

## CHAPTER 12

### ELECTIONS

#### Sec. 12-1 Regular City Elections; Election Precincts.

- a. For the City election in 2019, for the election of the Mayor, City Councilmembers, Clerk and Treasurer, all for a three (3) year term to the November 2022 election cycle, see Section 18-4 and Section 18-15;
- b. Beginning with the November 2022 election cycle, a regular City election for the purpose of electing the Mayor, five City Councilmen, the Treasurer and the Clerk shall be held on a day that coincides with regular statewide elections, every four years. Each elector shall be entitled to vote for no more than two (2) at-large candidates and no more than one (1) district council candidate with the top vote getters being duly elected. For the purpose of conducting such elections, the City shall be divided into election precincts in the manner provided and required by law.
- c. The City Council shall adopt, in 2020, a resolution required to switch to even numbered year elections, as authorized by MCL 168.642 and MCL 168.642a.

#### Sec. 12-2 Special Elections.

Special City elections shall be held when called by resolution of the City Council, adopted at least **ninety (90)** days in advance of such election. Any resolution calling a special election shall set forth the purpose of such election. Unless otherwise permitted by law, no more than two special City elections, not counting those conducted with State or national elections shall be held in any one calendar year.

#### Sec. 12-3 Primary Election.

- a. For the primary election in 2019, See Section 18-4;
- b. A regular City primary election shall be held when necessary on the first Tuesday following the first Monday in August of every fourth year beginning in 2022.

#### Sec. 12-4 Qualifications of Electors.

Each inhabitant of the City who has the constitutional qualifications of an elector in the State of Michigan, or who will have such qualifications at the next ensuing regular or special City primary or general election, shall be entitled to register as an elector of the City.

#### Sec. 12-5 Election Procedure.

All City elections for the nomination and election of officers shall be nonpartisan. The general election laws of the State shall apply to and control, as near as may be, all procedures relating to notices and registrations for, and to the conduct of city elections, except as such general laws relate to political parties or partisan procedures, and except as otherwise provided by this Charter. The compensation of all election personnel shall be determined by the City Council.

**Sec. 12-6 Election Commission.** An Election Commission, consisting of the City Attorney as Chairman, the City Clerk as Secretary, the Chief of Police and the Director of Public Works is hereby created. The Commission shall have charge of all activities and duties required of it by

law relating to the conduct of elections in the City. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to follow.

**Sec. 12-7 Candidacy for Elective Office.**

(a) A person desiring to qualify as a candidate for any elected office under this Charter shall file with the Clerk a sworn statement of candidacy and an official nominating petition therefore or a deposit of one hundred dollars (\$100.00USD), per subsection (d). Official blank forms of statements of candidacy and nominating petitions shall be prepared and furnished by the Clerk. Nominating petitions shall be in substantially the same form as required for nonpartisan judicial officers. Such petition shall be signed within ninety days (90) next preceding the last day set for the filing of nominating petitions for any election. Each petition shall be verified by one or more persons as to the signing, qualification, residence, and street number of each of the persons signing the petition. Such statements of candidacy and petitions or deposits shall be filed with the Clerk not later than 4:00 o'clock in the afternoon on the fifteenth Tuesday preceding the primary election date.

- (1) Nominating petitions of a candidate for nomination for Mayor, Clerk, Treasurer or City Councilman At-Large shall contain the signatures of not less than one hundred (100) registered electors of the City;
- (2) Nominating petitions for a candidate for District Councilmember shall contain signatures of not less than one hundred (100) registered electors residing in the district which the candidate seeks to represent.

(b) Before the Clerk shall furnish nominating petition to any person, he shall enter thereon with typewriter or in ink the name of the candidate and the name of the office for which he is to be a candidate. No petition which has been altered with respect to such entries shall be received by the Clerk. Nominating petitions for the purpose of filling a vacancy shall state the name of the office for which they are to be used.

(c) If any person signs his name to a greater number of petitions for any office than there will be persons elected to that office, his signature shall be disregarded on all petitions for that office. Signatures on nominating petitions dated more than ninety days prior to the last date for filing such petition shall not be counted by the Clerk in determining the sufficiency of the number of signatures.

(d) As an alternative to petition qualification of a candidate as above provided, a person may qualify as a candidate for elected office by filing a sworn affidavit of candidacy signed by him and deposit the sum of one hundred dollars (\$100.00USD) therewith in the office of the City Clerk before the filing deadline provided in Section 12-7(a) above. If a regular petition is filed as provided in Section 12-7(a) or if the candidate withdraws, the deposit shall be refunded. After the election is held, any deposit of a person who has been elected to the office which was sought shall be refunded. All other deposits shall be forfeited and be placed in the City General Fund.

(e) Withdrawal. After filing of the petition or statement of candidacy and deposit, the candidate shall not be permitted to withdraw unless a written notice of withdrawal is filed with the City Clerk's office by 4:00 p.m. on the Thursday following the petition filing deadline.

**Sec. 12-8 Approval of Petitions.**

The Clerk shall accept for filing only nominating petitions on official blanks which are accompanied by a properly executed affidavit of the person named in the nominating petition as a candidate that he possesses the residence and other qualifications set forth in this Charter for holding the office named in the nominating petition. Within five days after the final filing date, the Clerk shall determine the genuineness and the sufficiency of the number of signatures on each petition filed. If the finds that any petition does not contain the required number of signatures of registered electors of the City who have signed within ninety days next preceding the last date fixed for filing the petition, he shall immediately notify the candidate, in writing, of the insufficiency of his petition. Each petition which is found by the Clerk to contain the required number of signatures of registered electors who have signed the same within the time limit, shall be marked "valid," with the date thereof.

**Sec. 12-9 Holding and Results of Primary Elections.**

- a. If statements of candidacy, along with valid petitions or deposits of One Hundred Dollars (\$100.00) have been filed for more than twice the number of candidates for an office than there will be positions filled in that office at the next regular City election, a primary election shall be held with respect to that office and the names of all persons who have filed statements of candidacy, along with valid petitions or deposits of One Hundred Dollars (\$100.00) for that office shall be placed on the ballot therefore.
- b. If valid petitions have been filed for no more than twice the number of candidates for an office to be filled at the following regular City election, then no primary election shall be held with respect to such office and the names of the candidates for such office shall be placed on the ballot for the regular City election.
- c. Candidates, equal in number to twice the number of persons to be elected to each office at the next regular City election, who receive the highest number of votes at any primary election shall be the nominees for election to the respective offices for which they are candidates and their names shall be placed on the ballot for the regular City election.

**Sec. 12-10 Form of Ballots.**

The form, printing, and numbering of ballots or machine settings used in City primary and general elections, shall conform, as nearly as may be, to that prescribed by law, except that no party designation or emblem shall appear thereon. The names of qualified nominees for each office shall be listed under a separate heading for each office and shall not be rotated. The position of names on the ballot shall be determined at a drawing publicly conducted by the Election Commission at 2:00 p.m. on the day following the withdrawal deadline.

**Sec. 12-11 Board of Canvassers.**

Promptly after each election the County Board of Canvassers shall meet, determine the outcome of the election for each office and proposal submitted, and the County Clerk shall notify winning candidates of their election.

**Sec. 12-12 Political Activities Prohibited.**

No officer or employee of the City shall conduct any political activity on behalf of any candidate for any elected office during or in the course of his working hours or tour of duty, for or during the performance of his duties on behalf of the City.

## CHAPTER 13

### CONTRACTS

#### Sec. 13-1 Authority of City Council.

The power to make contracts on behalf of the City is vested in the City Council. All contracts, except as otherwise provided by ordinance in accordance with the provisions of Section 13-2 hereof, shall be authorized by the City Council and shall be signed on behalf of the City by the Mayor and the Clerk.

#### Sec. 13-2 Routine Contracts.

The City Council shall establish, by ordinance, the procedures for the purchase and sale of personal property for the City and making contracts for improvements and services to the City. Under such ordinance, the City Council shall provide the dollar limit within which purchases of personal property may be made without the necessity of securing competitive bids, and the dollar limit within which purchases may be made without the necessity of City Council approval. Until such ordinance is adopted, no purchase shall be made or contract let, except contracts for professional services, which involve expenses above two thousand dollars unless bids are received therefore.

#### Sec. 13-3 Contractual Power.

(a) The City shall not enter into a contract which will not be fully executed within a period of twenty years, without the approval of a majority of the electors voting thereon at a regular or special election unless such contract is with a public utility or one or more governmental units.

(b) The City shall not have power to sell, lease, or dispose of any real estate owned by it, unless the resolution authorizing it shall have been completed in the manner in which it is finally passed and have remained on file with the Clerk for public inspection for six days before the final adoption or passage thereof. Such sales shall also be subject to the limitations appearing in Section 3-3 hereof.

(c) The City may enter into installment or lease-purchase contracts for the acquisition or sale of real or personal property or capital equipment as permitted by law. Each such contract shall not extend over a period of more than twenty years. All such deferred payments shall be included in the budget or appropriation for the year in which the installment is payable.

(d) All bids, required by ordinance, for the purchase of personal property, and for contracts for improvements or services shall be opened in public in the City Council room by the Clerk at the time designated in the notice and shall be reported by him to the City Council at its next meeting. The City Council may reject any or all bids or parts of bids, if deemed advisable. The City Council may authorize the proper official of the City to negotiate, in the open market for a contract.



(e) No contract shall be made knowingly with any person who is in default to the City, the County of Wayne, or the school district of the City.

**Sec. 13-4 Dealings With City.**

Any officer of the City or City employee with respect to any contract with the City that he would have an interest in shall comply with the requirements of the Contracts of Public Servants with Public Entities Act, as specified in MCL 15.321, *et. seq.*

## CHAPTER 14

### PUBLIC UTILITY SERVICES

#### Sec. 14-1 General Powers Respecting Municipal Utilities.

The City shall have all the powers granted by law to acquire, construct, own, operate, improve, enlarge, extend, repair, and maintain public utilities and services, either within or without its corporate limits and either within or without the corporate limits of Wayne County. Such powers shall include but not by way of limitation, public utilities and services for supplying water and water treatment, sewage disposal and treatment, electric light and power, gas, steam, heat, or any of them, to the Municipality and the inhabitants thereof. The City may also sell utility services beyond its corporate limits as authorized by law.

#### Sec. 14-2 Rates.

- a. The City Council shall fix just and reasonable rates and such other charges as may be deemed advisable for supplying water and other Municipal utility services. Discrimination in rates by the City Council, within any classification of users, shall not be permitted, nor shall free service be permitted, other than to the City.
- b. The rates and charges for any Municipal utility shall be fixed by the City Council on a basis at least adequate to compensate the City for the cost of such service and to make reasonable provision for the extension thereof according to needs. Transactions pertaining to the ownership and operation of each such utility shall be recorded in a separate group of accounts, which shall be classified and kept in accordance with generally accepted accounting practices and shall conform to any uniform system of accounts which may be required by law. Charges for all services furnished to, or rendered by, other City departments or administrative units shall be recorded, whether collected or not. An annual report shall be prepared by or under the direction of the Mayor to show the financial position of each utility and the results of its operation. A copy of such report shall be available for inspection at the office of the Clerk.

#### Sec. 14-3 Collection Charges.

- (a) The City Council shall provide, by ordinance, for the collection of rates and charges for public utility services furnished by the City. When any person fails or refuses to pay any sums due on utility bills, the service upon which such delinquency exists may be discontinued and suit may be brought for the collection thereof.
- b) Except as otherwise provided by law, the City shall have a lien upon premises to which utility services are or have been supplied. For such purposes, the City shall have all the powers granted to cities by law. The lien shall become effective immediately on the distribution or supplying of utility services to such premises.
- (c) Except as otherwise provided by law, or in any ordinance authorizing the issuance of bonds, all unpaid charges for utility services furnished to any premises, which, on the

thirty-first day of March of each year, have remained unpaid for a period of three months or more, shall be reported to the City Council by the Finance Director at the first meeting thereof in the month of April. The City Council thereupon shall order the publication in a newspaper of general circulation in the City of notice that all such unpaid utility charges which are not paid by the thirtieth day of April will be spread upon the City's tax roll, to be collected in the same manner as the City taxes.

**Sec. 14-4 Disposal of Municipal Utility Plants and Property.**

The City shall not sell, exchange, lease, or in any way dispose of any Municipal public utility or any property, easement, equipment, privilege, or asset needed to continue the operation of any utility, unless the proposition to do so is approved by a majority of the electors of the City. All contracts, grants, leases, or other forms of transfer in violation of this section shall be void and of no effect as against the City. The restrictions of this section shall not apply to the sale or exchange of articles of machinery or equipment of any utility, which are no longer useful or which are replaced by new machinery or equipment, or to the sale or leasing of property not necessary for the operation of the utility, or to the exchange of property or easements for other property needed for the utility.

**Sec. 14-5 Water Department.** The water supply system of the City shall be under the general management and control of a Director of Water Works. The Director of Water Works shall be appointed and subject to removal by the Mayor and shall be responsible to him for the supervision, management, control, operation, and maintenance of the City's water works and all work in connection therewith.

**Sec. 14-6 City's Parking System.**

- a. The City shall have power to establish, operate, extend, and maintain, on a public utility basis, facilities for the storage and parking of vehicles within its corporate limits; and for such purpose to acquire by gift, purchase, condemnation or otherwise the necessary lands therefore.
- b. The City Council shall have power to provide for the payment of all or any part of the cost of construction of such facilities, including the acquisition of the necessary lands therefore, by levying and collecting special assessments upon property specially benefited, in the manner provided by ordinance for levying and collecting special assessments. Such assessments shall be according to benefits, as determined by the City Council. The cost of surveys and plans for construction of such facilities and acquisition of lands therefore and all expenses incident to the proceedings for the making of such improvement and the special assessment therefore, shall be deemed to be a part of the cost thereof.

**Sec. 14-7 Other City Utility Services and Systems.**

The City Council shall provide for the acquisition and operation of City utility services and systems in the manner provided by law. Except as otherwise provided or required by law, each such public utility system shall be under the general management and control of a superintendent

or director who shall be appointed and removed by the Mayor and responsible to him for the supervision, management, control, operation, and maintenance thereof.

## CHAPTER 15

### FRANCHISES

#### **Sec. 15-1 Public Utility Franchises.**

The City may grant a franchise to any person or corporation for the use of the streets, alleys, bridges, and other public places of the City for the furnishing of any public utility service to the City and its inhabitants. Franchises and renewals, amendments, and extensions thereof shall be granted only by ordinance. Public utility franchises shall include provisions for fixing rates and charges, and may provide for readjustments thereof at periodic intervals. The City may, with respect to any public utility franchise granted after the effective date of this Charter, whether or not so provided in the granting ordinance:

- (1) Revoke the same for the violation of any of its provisions, for the misuse or nonuse thereof, for failure to comply with any provision thereof, or any regulation imposed under authority of this section;
- (2) Require proper and adequate extension of plant and the maintenance thereof at the highest practicable standard of efficiency;
- (3) Establish reasonable standards of service and quality of products, and prevent unjust discrimination in service or rates;
- (4) Require continuous and uninterrupted service to the public in accordance with the terms of the franchise throughout the entire period thereof;
- (5) Impose other regulations determined by the City Council to be conducive to the health, safety, welfare, and convenience of the public;
- (6) Require the public utility to permit joint use of its property and appurtenances located in the streets, alleys, bridges, and public places, by the City and other utilities, insofar as such joint use may be reasonably practicable and upon payment of reasonable rental therefore, and, in the absence of agreement, upon application by the public utility, provide for arbitration of the terms and conditions of such joint use and the compensation to be paid therefore;
- (7) Require the public utility to pay any part of the cost of improvement or maintenance of streets, alleys, bridges, and public places that arises from its use thereof, and to protect and save the City harmless from all damages arising from such use;
- (8) Require the public utility to file with the Clerk such reports concerning the utility and its financial operation and status as the City Council may request.

#### **Sec. 15-2 Limitations on the Granting of Franchises.**

No franchise shall be granted by the City for a term exceeding thirty years. An irrevocable franchise and any extension or amendment of such a franchise may not be granted by the City, unless it has first received the affirmative vote of at least three-fifths of the electors of the City

voting thereon at a regular or special City election. An irrevocable franchise ordinance may be approved by the City Council, for referral to the electorate, only after a public hearing has been held thereon and after the grantee named therein has filed with the Clerk his unconditional acceptance of all the terms of the franchise. No special election for such purpose may be ordered by the City Council unless the expense of holding such election has first been paid to the Treasurer by the grantee.

**Sec. 15-3 Procedure for Granting Franchises.**

Every ordinance granting a franchise, license, or right to occupy or use streets, alleys, bridges, or public places shall remain on file with the Clerk for public inspection in its final form for at least thirty days before the final adoption thereof, or the approval thereof for referral to the electorate.

**Sec. 15-4 Sale or Assignment of Franchises.**

The grantee of a franchise may not sell, assign, subject, or replicate, unless the City Council gives it consent. Nothing in this section shall limit the right of the grantee of any public utility franchise to mortgage its property or franchise, nor shall restrict the rights of the purchaser, upon foreclosure sale, to operate the same, except that such mortgage or purchaser shall be subject to the terms of the franchise and provisions of this chapter.

**CHAPTER 16**

**CIVIL SERVICE**

**Sec. 16-1 Purpose of Chapter.**

The City Council is authorized to establish a civil service system by ordinance.

## CHAPTER 17

### RETIREMENT SYSTEMS

#### Sec. 17-1. City's Responsibilities.

The accrued financial benefits of active and retired City employees under each city pension plan and retirement system, being contractual obligations of the City under Article IX, Section 24 of the Michigan Constitution of 1963, shall in no event be diminished or impaired.



## CHAPTER 18

### TRANSITION

#### **Sec. 18-1 Purpose.**

The purpose of this chapter is to inaugurate the government of the City of Highland Park under this Charter and provide the transition from the government of the City under the previous Charter to that under this Charter. It shall constitute a part of this Charter only to the extent and for the time required to accomplish its purpose.

**Sec. 18-2 Election to Adopt Charter.** This Charter shall be submitted to a vote of the qualified electors of the territory comprising the City of Highland Park at a City election to be held on Tuesday, May 8, 2018, between the hours of 7:00 a.m. and 8:00 p.m. or at such other date for this election as shall be scheduled by the City Clerk in consultation with the Wayne County Clerk and other appropriate public officials. All provisions for the submission of the question of adopting this Charter at such election shall be made in the manner provided by law. If, at said election, a majority of the electors shall vote in favor of the adoption of this Charter, then the City Clerk shall perform all other acts required by law to carry this Charter into effect. If so adopted, this Charter shall take effect and become law on the first day of the month following the filing of the adopted City Charter by the City Clerk with the Secretary of State and the Wayne County Clerk.

#### **Sec. 18-3 Form of Ballot.**

The form of the question on submission of this Charter shall be as follows:

Shall the proposed Charter of the City of Highland Park, drafted by the Charter Commission, be adopted?

Yes/No

#### **Sec. 18-4 Election of Officers.**

(a) For the purpose of electing the first Mayor, five City Council members, the Clerk and Treasurer under this Charter, if adopted, the provisions of this Charter shall apply as to the nomination and election of such officers, except as in this section otherwise provided.

(b) Nominating petitions or deposits for the nomination of the first Mayor, members of the City Council, Clerk and Treasurer to be elected under the provisions of this Charter shall be filed in the office of the Clerk on or before 4:00 p.m. on the Fifteenth Tuesday before the primary date.

(c) Each candidate for office under the provisions of this Charter shall be subject to, and shall possess the qualifications for officers of the City required by the provisions of Sections 4-2 and 4-3 of this Charter.

(d) If this Charter be adopted, a primary election for the selection of the candidates for the offices of Mayor, five members of the City Council, the Clerk and Treasurer, under this Charter, to twice the number of positions to be filled, is also hereby set to be held on Tuesday, August 6, 2019, between the hours of 7:00 a.m. and 8:00 p.m.

(e) The election of the first Mayor, members of the City Council, the Clerk and Treasurer under this Charter is hereby set to be held on Tuesday, November 5, 2019, between the hours of 7:00 a.m. and 8:00 p.m.

(f) At the November, 2019 election the candidates for Mayor, the two At-Large Councilmen, the three District Councilmen, the Clerk and the Treasurer, receiving the highest number of votes shall be deemed elected to such offices for terms expiring on the Monday following New Year's Day, 2023, when the successors thereof have been elected and qualify under this Charter.

(g) As stated above and in Chapter 12 (Elections) of this Charter, the term of the city officials elected in 2019 shall be for a period of three (3) years. All elections thereafter, with the exception of special elections, shall be for a term of four (4) years.

**Sec. 18-5 New Officers.**

The persons elected under the provisions of Section 18-4 of this chapter to the offices of Mayor, City Councilmen, Clerk and Treasurer shall meet at 8:00 p.m. on the Monday following New Year's Day, 2020, shall take their oaths of office, shall thereupon constitute the executive, the governing body, the Clerk and Treasurer of the City, and shall assume and perform their full duties under the provisions of this Charter. The Mayor, City Council, Clerk and Treasurer created by the previous Charter of the City shall, thereupon, cease to be officers of the City. Such meeting shall also be for the organization of the City Council and a regular meeting for the transaction of any business which may properly come before the City Council.

**Sec. 18-6 Administrative Officers.**

All appointive officers under the previous Charter of the City shall continue in such offices under and subject to this Charter, including the provisions of Section 7-2 thereof, as though they had been appointed under the provisions of this Charter. The terms of offices of persons holding the offices of constable, assessor and controller under the previous Charter of the City shall terminate on the effective date of this Charter.

**Sec. 18-7 Existing Boards and Commissions.**

Each member of the City Planning Commission, the library board, and of other boards and commissions of the City, for which provision is made in this Charter or for which provision has been made by any ordinance which is not inconsistent with this Charter, shall be and remain a member of such board or commission for the balance of his term of office, subject in all respects to the provisions of this Charter.

**Sec. 18-8 Property of Terminated Boards and Offices.**

All records, books, working papers, money, effects, and property in the custody, possession, or control of any board, commission, or office ceasing to exist on the effective date of this Charter, which are the property of the City or which in any way pertain to the duties of the board, commission, or office, shall be delivered to the successor thereof, or to the Mayor, forthwith, after the duties of such board, commission, or office terminate.

**Sec. 18-9 Compensation of Officers.**

The compensation of the Mayor, President of City Council, each City Councilman, the Clerk, the Treasurer, and other officers and employees of the City, as fixed and paid under the previous Charter of the City on the effective date of this Charter, shall be and remain the compensation of such officers, until changed in accordance with the provisions of this Charter. In each case, such compensation shall be prorated and payable bi-weekly.

**Sec. 18-10 City Council Action.**

In all cases involving the transition of the City government from that under the previous Charter to that under this Charter, which are not covered by this chapter, the City Council shall supply necessary details and procedures and may adopt such rules, regulations, and ordinances as may be required therefore.

**Sec. 18-11 Civil Service and Pensions.**

No person shall be deemed to have gained or lost any status as an employee or any pension rights held by him under the previous Charter of the City, except as specifically set forth in this Charter.

**Sec. 18-12 Vested Rights and Liabilities.**

After the effective date of this Charter, the City and all its agencies shall be vested with all property, moneys, contracts, rights, credits, effects, and the records, files, books and papers belonging to it under and by virtue of the previous Charter. No right or liability, contract, lease, or franchise, either in favor of or against the City, existing at the time this Charter became effective, and no suit or prosecution of any character, shall be effected in any manner by any change resulting from the adoption of this Charter, but the same shall stand or proceed as if no change had been made. All taxes, debts, and liabilities, due to the City from any person, and all fines and penalties, imposed and existing at the time of such change, shall be collected by the City. All trusts, established for any Municipal purpose, shall be continued in accordance with the terms thereof, subject to the cy pres doctrine.

**Sec. 18-13 Mandatory Retirement.**

Any person 59.5 years of age or older when this Charter takes effect who is confronted with mandatory retirement at age sixty shall have a six-month grace period before such retirement takes effect in his case, during which his duties and compensation shall continue without change. No elected official shall be deemed confronted with mandatory retirement.

**CHAPTER 19**

**Ethics**

**Sec. 19-1 Ordinances**

(a) The City of Highland Park shall adopt an ethics ordinance.



STATE OF MICHIGAN  
EXECUTIVE OFFICE  
LANSING

RICK SNYDER  
GOVERNOR

BRIAN CALLEY  
LT. GOVERNOR

January 12, 2018

Mr. Todd Perkins  
The Perkins Law Group PLLC  
615 Griswold Suite 400  
Detroit, MI 48226

Re: City of Highland Park, Proposed Charter Revision

Dear Mr. Perkins:

I am responding to the request for approval of the proposed charter amendment for the City of Highland Park. The resolution proposing the amendment was adopted by the city's charter commission at its meeting held on November 2, 2017. Based on the review by the Attorney General's Office, I am notifying you that I approve the proposed amendment pursuant to the Home Rule City Act (HRCA), 1909 PA 279, MCL 117.1 *et seq.*, for placement on the ballot May 8, 2018, or at such other date as shall be scheduled by the city clerk.

Sincerely,

A handwritten signature in cursive script that reads "Rick Snyder".

Rick Snyder  
Governor

c: Attorney General's Office, State Operations Division