



HOUSE BILL No. 5009

October 19, 1999, Introduced by Reps. Jamnick, Julian, Lockwood, Minore, Reeves, Tabor, Gilbert, Hager, DeWeese, Vander Roest and Bishop and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 23 (MCL 78.23), as amended by 1982 PA 373.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 23. Each village charter shall provide FOR ALL OF the
2 following:

3 (a) ~~For the~~ THE election of AND COMPENSATION FOR a presi-
4 dent who shall be the executive head, a clerk, and a ~~commission~~
5 ~~or other body vested with~~ legislative ~~power, and shall fix~~
6 ~~their compensation~~ BODY. An election may be by a partisan, non-
7 partisan, or preferential ballot or by any other legal method of
8 voting.

9 (b) ~~For the~~ THE election or appointment of other officers
10 or administrative boards ~~as may be~~ considered necessary.

1 (c) ~~For the~~ THE levying and collection of village taxes.

2 (d) That the subjects of taxation for municipal purposes
3 shall be the same as for state, county, and school purposes under
4 the general law.

5 (e) ~~For an~~ AN annual appropriation of money for municipal
6 purposes.

7 (f) ~~For the~~ THE public peace and health, and for the
8 safety of persons and property.

9 (g) ~~For 1~~ ONE or more election districts; the time, place,
10 and means of holding elections; and the registration of
11 electors.

12 (h) ~~For keeping~~ KEEPING in the English language a written
13 or printed journal of ~~all~~ proceedings of the legislative body.

14 (i) ~~For the~~ THE publication of an ordinance or a synopsis
15 of an ordinance before the ordinance becomes operative. ANY
16 CHARTER PROVISION TO THE CONTRARY NOTWITHSTANDING, A VILLAGE MAY
17 ADOPT AN ORDINANCE PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN
18 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH, IF THE VIO-
19 LATION SUBSTANTIALLY CORRESPONDS TO A VIOLATION OF STATE LAW THAT
20 IS A MISDEMEANOR FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS
21 93 DAYS. Whether or not provided in its charter, a village may
22 adopt a PROVISION OF ANY STATE STATUTE FOR WHICH THE MAXIMUM
23 PERIOD OF IMPRISONMENT IS 93 DAYS, THE MICHIGAN VEHICLE CODE,
24 1949 PA 300, MCL 257.1 TO 257.923, OR A plumbing code, electrical
25 code, or building code ~~which~~ THAT has been promulgated by this
26 state, by a department, board, or other agency of this state, or
27 by an organization or association ~~which~~ THAT is organized and

1 conducted for the purpose of developing that code, by making
 2 reference to that LAW OR code in an adopting ordinance ~~—~~ with-
 3 out publishing that LAW OR code in full. The LAW OR code shall
 4 be clearly identified in the ordinance, and a statement of the
 5 purpose of the LAW OR code shall be published with the adopting
 6 ordinance. Printed copies of the LAW OR code shall be kept in
 7 the office of the village clerk ~~—~~ and made available to the
 8 public at all times. The publication shall contain a notice
 9 stating that a complete copy of the LAW OR code is available to
 10 the public at the office of the village clerk.

11 (j) ~~For all~~ THAT THE business ~~which~~ OF the legislative
 12 body ~~may perform to~~ SHALL be conducted at a public meeting of
 13 the body held in compliance with the open meetings act, ~~Act~~
 14 ~~No. 267 of the Public Acts of 1976, as amended, being sections~~
 15 ~~15.261 to 15.275 of the Michigan Compiled Laws~~ 1976 PA 267,
 16 MCL 15.261 TO 15.275, and all records of the municipality shall
 17 be available to the public under the freedom of information act,
 18 ~~Act No. 442 of the Public Acts of 1976, as amended, being sec-~~
 19 ~~tions 15.231 to 15.246 of the Michigan Compiled Laws~~ 1976
 20 PA 442, MCL 15.231 TO 15.246.

21 (k) ~~For adopting~~ ADOPTING, continuing, amending, or
 22 repealing village ordinances.

23 (l) ~~For a~~ A system of accounts ~~which shall conform~~ THAT
 24 CONFORMS to a uniform system required by law.