

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 601

A bill to amend 1909 PA 279, entitled  
"The home rule city act,"  
by amending section 3 (MCL 117.3), as amended by 2003 PA 303.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3. Each city charter shall provide for all of the  
2 following:  
3       (a) The election of a mayor, who shall be the chief executive  
4 officer of the city, and of a body vested with legislative power,  
5 and for the election or appointment of a clerk, a treasurer, an  
6 assessor or board of assessors, a board of review, and other  
7 officers considered necessary. The city charter may provide for  
8 the selection of the mayor by the legislative body. Elections  
9 may be by a partisan, nonpartisan, or preferential ballot, or by  
10 any other legal method of voting. Notwithstanding another law or  
11 charter provision to the contrary, a city having a 1970 official

1 population of more than 150,000, whose charter provides for terms  
2 of office of less than 4 years, and in which the term of office  
3 for the mayor and the governing body are of the same length, may  
4 provide by ordinance for a term of office of up to 4 years for  
5 mayor and other elected city officials. The ordinance shall  
6 provide that the ordinance shall take effect 60 days after it is  
7 enacted unless within the 60 days a petition is submitted to the  
8 city clerk signed by not less than 10% of the registered electors  
9 of the city requesting that the question of approval of the  
10 ordinance be submitted to the electors at the next regular  
11 election or a special election called for the purpose of  
12 approving or disapproving the ordinance.

13 (b) The nomination of elective officers by partisan or  
14 nonpartisan primary, by petition, or by convention.

15 (c) The time, manner, and means of holding elections and the  
16 registration of electors, subject to section 26 and other  
17 applicable requirements of law.

18 (d) The qualifications, duties, and compensation of the  
19 city's officers. If the city has an appointed chief  
20 administrative officer, the legislative body of the city may  
21 enter into an employment contract with the chief administrative  
22 officer extending beyond the terms of the members of the  
23 legislative body unless the employment contract is prohibited by  
24 the city charter. An employment contract with a chief  
25 administrative officer shall be in writing and shall specify the  
26 compensation to be paid to the chief administrative officer, any  
27 procedure for changing the compensation, any fringe benefits, and

1 other conditions of employment. The contract shall state if the  
2 chief administrative officer serves at the pleasure of the  
3 legislative body, and the contract may provide for severance pay  
4 or other benefits in the event the chief administrative officer's  
5 employment is terminated at the pleasure of the legislative  
6 body.

7 (e) The establishment of 1 or more wards, and if the members  
8 of the city's legislative body are chosen by wards, for equal  
9 representation for each ward in the legislative body.

10 (f) That the subjects of taxation for municipal purposes are  
11 the same as for state, county, and school purposes under the  
12 general law.

13 (g) The annual laying and collecting taxes in a sum, except  
14 as otherwise provided by law, not to exceed 2% of the taxable  
15 value of the real and personal property in the city. Unless the  
16 charter provides for a different tax rate limitation, the  
17 governing body of a city may levy and collect taxes for municipal  
18 purposes in a sum not to exceed 1% of the taxable value of the  
19 real and personal property in the city. As used in this  
20 subdivision, "taxable value" is that value determined under  
21 section 27a of the general property tax act, 1893 PA 206,  
22 MCL 211.27a.

23 (h) An annual appropriation of money for municipal purposes.

24 (i) The levy, collection, and return of state, county, and  
25 school taxes in conformance with the general laws of this state,  
26 except that the preparation of the assessment roll, the meeting  
27 of the board of review, and the confirmation of the assessment

1 roll may be at the times provided in the city charter.

2 (j) The public peace and health and for the safety of persons  
3 and property. In providing for the public peace, health, and  
4 safety, a city may expend funds or enter into contracts with a  
5 private organization, the federal or state government, a county,  
6 village, or township, or another city for services considered  
7 necessary by the legislative body. Public peace, health, and  
8 safety services may include the operation of child guidance and  
9 community mental health clinics, the prevention, counseling, and  
10 treatment of developmental disabilities, the prevention of drug  
11 abuse, and the counseling and treatment of drug abusers.

12 (k) Adopting, continuing, amending, and repealing the city  
13 ordinances and for the publication of each ordinance before it  
14 becomes operative. Whether or not provided in its charter,  
15 instead of publishing a true copy of an ordinance before it  
16 becomes operative, the city may publish a summary of the  
17 ordinance. If the city publishes a summary of the ordinance, the  
18 city shall include in the publication the designation of a  
19 location in the city where a true copy of the ordinance can be  
20 inspected or obtained. A charter provision to the contrary  
21 notwithstanding, a city may adopt an ordinance punishable by  
22 imprisonment for not more than 93 days or a fine of not more than  
23 \$500.00, or both, if the violation substantially corresponds to a  
24 violation of state law that is a misdemeanor for which the  
25 maximum period of imprisonment is 93 days. Whether or not  
26 provided in its charter, a city may adopt a provision of a state  
27 statute for which the maximum period of imprisonment is 93 days -

1 or the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. —  
2 ~~or~~ **Except as otherwise provided under the Stille-DeRossett-Hale**  
3 **single state construction code act, 1972 PA 230, MCL 125.1501 to**  
4 **125.1531, a city may adopt** a law, code, or rule that has been  
5 promulgated and adopted by an authorized agency of this state  
6 pertaining to fire, fire hazards, fire prevention, or fire waste,  
7 and a fire prevention code, plumbing code, heating code,  
8 electrical code, building code, refrigeration machinery code,  
9 piping code, boiler code, boiler operation code, elevator  
10 machinery code, **an international property maintenance code**, or a  
11 code pertaining to flammable liquids and gases or hazardous  
12 chemicals, that has been promulgated **or adopted** by this state, by  
13 a department, board, or other agency of this state, or by an  
14 organization or association that is organized and conducted for  
15 the purpose of developing the code, by reference to the law,  
16 code, or rule in an adopting ordinance and without publishing the  
17 law, code, or rule in full. The law, code, or rule shall be  
18 clearly identified in the ordinance and its purpose shall be  
19 published with the adopting ordinance. Printed copies of the  
20 law, code, or rule shall be kept in the office of the city clerk,  
21 available for inspection by, and distribution to, the public at  
22 all times. The publication shall contain a notice stating that a  
23 complete copy of the law, code, or rule is made available to the  
24 public at the office of the city clerk in compliance with state  
25 law requiring that records of public bodies be made available to  
26 the general public. A city shall not enforce a provision adopted  
27 by reference for which the maximum period of imprisonment is

1 greater than 93 days.

2 (l) That the business of the legislative body shall be  
3 conducted at a public meeting held in compliance with the open  
4 meetings act, 1976 PA 267, MCL 15.261 to 15.275. All records of  
5 the municipality shall be made available to the general public in  
6 compliance with the freedom of information act, 1976 PA 442,  
7 MCL 15.231 to 15.246.

8 (m) Keeping in the English language a written or printed  
9 journal of each session of the legislative body.

10 (n) A system of accounts that conforms to a uniform system of  
11 accounts as required by law.