

**TITLE III: ADMINISTRATION**  
**CHAPTER 30: CITY GOVERNMENT**  
**CHAPTER 31: CITY OFFICIALS**  
**CHAPTER 32: DEPARTMENTS, BOARDS, AND  
COMMISSIONS**  
**CHAPTER 33: TAXATION**  
**CHAPTER 34: PURCHASING**

# Lake City-Administration

## CHAPTER 30: CITY GOVERNMENT

### Section

#### *City Mayor*

- 30.01 Chief executive officer
- 30.02 Mayor as law enforcement authority
- 30.03 Suspension of officer
- 30.04 Absence of Mayor

#### *City Council*

- 30.15 Members of Council
- 30.16 Duties of president of Council
- 30.17 Election of Mayor pro tem
- 30.18 Meeting times of City Council
- 30.19 Meetings
- 30.20 Conflicting interests
- 30.21 Audit of accounts

## Lake City-Administration

## City Government

### *CITY MAYOR*

#### **§30.01 CHIEF EXECUTIVE OFFICER.**

- (A) The Mayor shall be the Chief Executive Officer of the city.
- (B) He or she shall preside at the meetings of the Council.
- (C) He or she shall be deemed a member of the Council, but he or she shall have no right to vote upon any question except in case of a tie, in which case he or she shall give the deciding vote.
- (D) He or she shall from time to time give the Council information concerning the affairs of the corporation, and recommend such measures as he or she may deem expedient.
- (E) It shall be his or her duty to exercise supervision over the affairs of the city and over the public property belonging thereto and see that the laws relating to the city and the ordinances and regulations of the Council are enforced. ('69 Code, §2001.1)

#### **§ 30.02 MAYOR AS LAW ENFORCEMENT AUTHORITY.**

- (F) The Mayor shall be a conservator of the peace and may exercise within the city the powers conferred upon sheriffs to suppress disorder and shall have authority to command the assistance of all able bodied citizens to aid in the enforcement of this code and any other ordinances of the Council and to suppress riot and disorderly conduct. ('69 Code, §2001.2)

#### **§ 30.03 SUSPENSION OF OFFICER.**

- (A) The Mayor may suspend any officer appointed by him or her at any time for neglect of duty, misconduct, or other sufficient cause, provided that a written complaint under oath shall be preferred against the officer and filed with the City Clerk.
- (B) The complaint shall be reasonably certain as to time, place, and the offense, or offenses, charged therein, and a copy thereof served personally on such person or left with a person of suitable age at the last known place of residence of such suspended person within three days after such suspension.
- (C) (1) The officer shall have the privilege of filing an answer to the complaint within five days after service of copy of the complaint as above provided.

## **Lake City-Administration**

(2) The Council shall hear the complaint and defense thereto, if any, at the next regular meeting thereof.

(3) Provided, the regular meeting shall occur within a time not less than ten and not more than 15 days after the date of the filing of the complaint, otherwise a special meeting shall be called for the purpose of the hearing and within the time herein limited.

(4) Should no complaint be filed within the time herein provided, or not be sustained at the hearing thereof, the officer may resume the duties of his or her office as if the suspension had never been made.

(5) He or she shall at all times have authority to examine and inspect the book records and papers of any agent, employee, or officer of the corporation and shall perform generally all such duties as are or may be prescribed by the ordinances of the city.  
(‘69 Code, §2001.3)

### **§ 30.04 ABSENCE OF MAYOR.**

In the absence or disability of the Mayor, the Mayor pro tempore of the Council shall perform the duties of the Mayor. (‘69 Code, §2001.4)

## ***CITY COUNCIL***

### **§ 30.15 MEMBERS OF COUNCIL.**

The legislative authority of cities shall be vested in a Council consisting of the Mayor and Council members. (‘69 Code, §2002.1)

### **§ 30.16 DUTIES OF PRESIDENT OF COUNCIL.**

The Mayor shall be president of the Council and preside at the meetings thereof. (‘69 Code, §2002.2)

### **§30.17 ELECTION OF MAYOR PRO TEM.**

On the first Monday in May in each year, the Council shall appoint one of their number President Pro Tempore of the Council, who, in the absence of the President, shall preside at the meetings thereof, and exercise the powers and duties of President. He shall have a vote upon all

## City Government

questions, but he shall have no casting vote in case of a tie. In the absence of the President and President Pro Tern, the Council shall appoint one of their number to preside and for the time being he shall exercise the powers and duties of the President. C69 Code, §2002.3)

### § 30.18 MEETING TIMES OF CITY COUNCIL.

The Council shall be judge of the election returns and qualifications of its own members. It shall hold regular stated meetings for the transaction of business, at such times and places within the city as it shall prescribe, not less than two of which shall be held in each month. The Mayor or any three members of the Council may call special meetings thereof, notice of which, in writing, shall be given to each alderman, or be left at his place of residence at least six hours before the meeting. ('69 Code, §2002.4)

### §30.19 MEETINGS.

(A) The business which the Council may perform shall be conducted at a public meeting of the Council held in compliance with Public Act 267 of 1976, being M.C.L.A. §§ 15.261 through 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by Public Act 267 of 1976.

(B) A majority of the Councilmembers shall constitute a quorum for the transaction of business. A number less than a majority may adjourn a meeting, and all pending business noticed or set down for hearing at that meeting shall be taken up and heard at the next meeting.

(C) Members present may compel the attendance of absent members in the manner as prescribed by rule or ordinance. An office shall not be created or abolished; nor a tax or assessment imposed; a street, alley, or public ground vacated; real estate or interest in real estate purchased, leased, sold, or disposed of; or private property taken for public use, unless by a concurring yea and nay vote of 2/3 of all the Councilmembers elected to office. A vote of the Council shall not be reconsidered or rescinded at a special meeting, unless there are present as many aldermen as were present when that vote was taken.

(D) Money shall not be appropriated except by ordinance or resolution of the Council. A resolution shall not be passed or adopted except by the vote of a majority of all the Councilmembers elected to office, except as prescribed in this section.  
(‘69 Code, §2002.5)

### §30.20 CONFLICTING INTERESTS.

(A) No member of the Council, nor any officer of the corporation, shall be directly or indirectly interested in any contract or service (other than official services) made by or to be performed for the

## **Lake City-Administration**

corporation; provided that this shall not prevent officers receiving compensation authorized by resolution and published as prescribed by law.

(B) Any violation of the provisions of this section shall result in a forfeiture of the office, and on proof thereof, the Council may declare the office vacant.

('69 Code, §2002.6)

### **§30.21 AUDIT OF ACCOUNTS.**

The Council shall audit and allow all accounts chargeable against the city; but no account or claim or contract shall be received for audit or allowance, unless it shall be accompanied with a certificate of an officer of the corporation or an affidavit of the person rendering it, to effect that he or she verily believes that the services therein charged have been actually performed or the property delivered for the city, that the sums charged therefore are reasonable and just, and that to the best of his or her knowledge and belief, no set-off exists nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claim. And every such account shall exhibit in detail all the items making up the amount claimed and the true date of each. It shall be a sufficient defense in any court, to any action or proceeding for the collection of any demand or claim against the city for personal injuries or otherwise that it has never been presented, certified to, or verified as aforesaid, to the Council for allowance, or if such claim is founded on contract, that the same was presented without the certificate or affidavit aforesaid and rejected for that reason, or, that the action or proceeding was brought before the Council had a reasonable time to investigate and pass upon it. C69 Code, §2002.7)



## CHAPTER 31: CITY OFFICIALS

### Section

#### *City Superintendent*

- 31.01 Superintendent
- 31.02 Functions of Superintendent
- 31.03 Appointments by Superintendent
- 31.04 Duties of Superintendent

#### *City Clerk*

- 31.15 Duties of Clerk
- 31.16 Annual report; assistance

#### *City Treasurer*

- 31.30 City Treasurer

#### *City Assessor*

- 31.40 Tax Assessor
- 31.41 Duties of Assessor

#### *Building Inspector*

- 31.60 Appointment of Building Inspector
- 31.61 Enforcement of fire limits and building regulations

#### *Ordinance Enforcement Officer*

- 31.70 Established
- 31.71 Appointment
- 31.72 Authorization of officer
- 31.73 Duties of officer

#### *Billing/Collections Manager*

- 31.80 Billing/Collections Manager
- 31.81 Duties of Billing/Collections Manager

## Lake City-Administration

## City Officials

### *CITY SUPERINTENDENT*

#### **§31.01 CITY SUPERINTENDENT.**

The City Superintendent shall be appointed by the Mayor with the approval of the council. ('69 Code, § 2101.1)

#### **§31.02 FUNCTIONS OF SUPERINTENDENT.**

The Superintendent shall have the following functions:

- (A) Keep daily records of DPW activities and his or her own activities.
  - (B) Obtain water and sewer certificates.
  - (C) Assist in the Preparation of the yearly budget.
  - (D) Review monthly bills and supervise purchases
  - (E) Prepare monthly status reports on activities and projects.
  - (F) Attend all Council meetings (DDA, Planning and Committee meetings if requested.)
  - (G) Work with Finance Committee on employee's wages, insurance, and yearly budget.
  - (H) Evaluation of the labor force.
  - (I) Work with committees on short term or long term basis depending on the project.
  - (J) Supervision of the Cemetery, Water, Sewer, and Public Works divisions.
  - (K) Be Responsible for all employees' work schedules and work hours
  - (L) Any additional duties as assigned by the Council.
- ('69 Code, § 2101.2)

#### **§31.03 APPOINTMENTS BY SUPERINTENDENT.**

## **Lake City-Administration**

(A) The City Superintendent may appoint, but only with prior approval of the Council, another person to any one or more of the named positions which person or persons shall be under the direction of the of the person responsible to the Superintendent, whom shall retain full responsibility for the proper functioning of the department concerned.

(B) The Superintendent may delegate to such appointee such authority as he or she shall deem necessary.  
(’69 Code, § 2101.3)

### **§31.15 DUTIES OF SUPERINTENDENT.**

(A) The City Superintendent shall be responsible for the management of the departments under his or her control.

(B) He or she shall be responsible for the proper care and maintenance of all such department.

(C) He or she shall make an annual report to the Council on the operations of such departments and such further reports as the Council may from time to time require.  
(’69 Code, § 2101.4)

## ***CITY CLERK***

### **§31.15 DUTIES OF CLERK**

The Clerk shall have all the duties and functions prescribed by the state, law, and this code.  
(’69 Code, § 2105.1)

Statutory reference:

Statutory duties of City Clerk, see M.C.L.A §§ 88.6 through 87.10.

### **§31.16 ANNUNAL REPORT; ASSISTANCE**

(A) The Clerk shall make an annual report to the Council on the operation of such departments and such further reports as the Council may from time to time require.

(B) The Clerk may, with the approval of the Council, employ such additional assistance as may be necessary in the conduct of the office.(69’ Code, § 2105.2)

**City Officials**

***CITY TREASURER***

**§31.15 CITY TREASURER**

The Treasurer shall have all the duties and functions prescribed by the state law and this code for that office. ('69 Code, § 2105.3)

Statutory reference:

Statutory duties of City Treasurer, see M.C.L.A §§ 87.11 through 87.15.

***CITY ASSESSOR***

**§31.40 TAX ASSESSOR.**

The Assessor shall be appointed by the Mayor, subject to the approval of the council. ('69 Code, § 2106.1)

**§31.41 DUTIES OF ASSESSOR.**

The Assessor shall have all the duties and functions prescribed by the state law and this code for that office. ('69 Code, § 2106.2)

***BUILDING INSPECTOR***

**§31.60 APPOINTMENT OF BUILDING INSPECTOR.**

The Building Inspector shall be appointed by the Mayor, subject to the approval of the Council. ('69 Code, § 2108.1)

**§31.61 ENFORCEMENT OF FIRE LIMITS AND BUILDING REGULATIONS.**

The Building Inspector shall be charged with the responsibility of enforcing the provisions of this code relative to fire limits and building regulations. ('69 Code, § 2108.2)

**Lake City-Administration**

***ORDINANCE ENFORCEMENT OFFICER***

**§31.70 ESTABLISHED.**

There is established the office of Ordinance Enforcement Officer within the city. ('69 Code, § 1109.1)

**§31.71 APPOINTMENT.**

The City Council is authorized to appoint by resolution at any regular meeting of the Council any person or persons to the office of Ordinance Enforcement Officer and for such terms or term as may be designated in the regulation. The Council may further, by resolution, remove any person from said office in the discretion of the Council. ('69 Code, § 1109.2)

**§31.72 AUTHORIZATON OF OFFICER.**

The Ordinance Enforcement Officer is authorized to enforce all ordinances of the city, whether heretofore or hereinafter enacted and whether such ordinances specifically designate a different official to enforce the same or do not designate any particular enforcing officer. Where a particular officer is so designated in any such ordinance, the authority of the Ordinance Enforcement Officer to enforce the same shall be in addition and supplementary to the authority granted to such other specific officers. The authority of such Ordinance Enforcement Officer shall also be additional and supplementary to the authority vested in the City Mayor by state statue. The ordinance enforcing authority of the and the other officers specifically designated in any city ordinance shall continue in full force and effect and shall in no way be diminished or impaired by the terms of the ordinance. An Ordinance Enforcement Officer shall in the performance of his or her duty be subordinate and responsible to the Mayor or such other City Council members as the Mayor may from time to time designate. ('69 Code, § 1109.3)

**§31.73 DUTIES OF OFFICER.**

The ordinance enforcement duties herein authorized shall include, among others, the following:

- (A) Investigation of ordinance violations;
- (B) Serving notice of violations
- (C) Serving appearance tickets as authorized under Public Act 175 of 1927, Ch. IV, being M.C.L.A. §§764.1 et seq. as amended;
- (D) Appearance in court or such other judicial proceedings to assist in the prosecution of

## City Officials

ordinance violators; and

(E) Such other ordinance enforcing duties as may be delegated by the Mayor or assigned by the city attorney.(69' Code, § 1109.4)

### **BILLING/COLLECTIONS MANAGER**

#### **§31.80 BILLING/COLLECTIONS MANGER**

(A) The Billing/Collections Manager shall be appointed by and under the jurisdiction of the Superintendent subject to the approval of the Council.

(B) The Billing/Collections Manager shall prepare such reports as the council deems necessary.

(C) The Billing/Collections Manager shall be considered a full time hourly employee of the Department of Public Works and subject to all applicable employment policies of the City.(69' Code, § 1110.1)

#### **§31.81 DUTUIES OF BILLING/COLLECTIONS MANGER**

(A) The Billing/Collections Manager shall be responsible for quarterly utility billing and collections. He or she shall be responsible to the Superintendent and Council for adequate reporting of utility collections and reconciling to collections.

(B) The Billing/Collections Manager shall handle and receipt daily tax collections, and at the request of the Council and Treasurer prepare such statements as are required for the completion of the tax roll.

(C) The Billing/Collections Manager shall be responsible for Daily depositing of all collections.(69' Code, § 1110.2)

## Lake City-Administration