

# SENATE BILL No. 764

February 26, 1992, Introduced by Senator BARCIA and referred to the Committee on Local Government and Urban Development.

A bill to amend section 8 of chapter VIII and section 6 of chapter IX of Act No. 215 of the Public Acts of 1895, entitled as amended

"An act to provide for the incorporation of cities of the fourth class; to provide for the vacation of the incorporation thereof; to define the powers and duties of such cities and the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by cities; to define the application of this act and provide for its amendment by cities subject thereto, and to validate such prior amendments and certain prior actions taken and bonds issued by such cities,"

being sections 88.8 and 89.6 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 8 of chapter VIII and section 6 of chap-  
2       ter IX of Act No. 215 of the Public Acts of 1895, being  
3       sections 88.8 and 89.6 of the Michigan Compiled Laws, are amended  
4       to read as follows:

## CHAPTER VIII

1

2       Sec. 8. (1) The council shall prescribe rules for council  
3 proceedings ~~—~~ and keep a record or journal of the proceedings.  
4 A writing prepared, owned, used, in the possession of, or  
5 retained by the council in the performance of an official func-  
6 tion shall be made available to the public in compliance with THE  
7 FREEDOM OF INFORMATION ACT, Act No. 442 of the Public Acts of  
8 1976, being sections 15.231 to 15.246 of the Michigan Compiled  
9 Laws.

10       (2) Votes shall be taken by yeas and nays when required by  
11 ~~1 or more members~~ A MEMBER and the votes shall be entered upon  
12 the journal BY indicating the names of those voting in the affir-  
13 mative and those in the negative. Within 10 days after a meeting  
14 of the council, the record of the ~~proceeding,~~ PROCEEDINGS and  
15 OF THE votes taken at the ~~proceeding~~ PROCEEDINGS shall be pub-  
16 lished in a newspaper of the city. THE PUBLICATION OF A SYNOPSIS  
17 OF THE PROCEEDINGS, PREPARED BY THE CITY CLERK AND APPROVED BY  
18 THE PERSON WHO PRESIDED AT THE PROCEEDINGS, SHOWING THE SUBSTANCE  
19 OF EACH SEPARATE PROCEEDING OF THE COUNCIL AND THE TOTAL NUMBER  
20 OF YEAS AND NAYS FOR ANY VOTE TAKEN BY YEAS AND NAYS, IS A SUFFI-  
21 CIENT COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

22

## CHAPTER IX

23       Sec. 6. Within 1 week after the passage of any ordinance,  
24 the ~~same shall be published in some newspaper printed and~~ CLERK  
25 SHALL PUBLISH THE ORDINANCE IN A NEWSPAPER GENERALLY circulated  
26 within the city. ~~—, and the clerk shall immediately after such~~  
27 IMMEDIATELY AFTER THE publication, THE CLERK SHALL enter upon the

1 record of ordinances, in a blank space to be left for ~~such~~ THIS  
2 purpose under the recorded ordinance, a certificate stating in  
3 what newspaper and ~~of~~ ON what date ~~such~~ THE publication was  
4 made, and SHALL sign the ~~same officially, and such~~  
5 CERTIFICATE. THE certificate ~~shall be~~ IS prima facie evidence  
6 that legal publication of ~~such~~ THE ordinance ~~has been~~ WAS  
7 made. ~~Provided, however, That each city shall have power to~~  
8 INSTEAD OF PUBLISHING A TRUE COPY OF AN ORDINANCE, THE CLERK MAY  
9 PUBLISH A SUMMARY OF THE ORDINANCE. IF THE CLERK PUBLISHES A  
10 SUMMARY OF THE ORDINANCE, THE CLERK SHALL INCLUDE IN THE PUBLICA-  
11 TION THE DESIGNATION OF A LOCATION IN THE CITY WHERE A TRUE COPY  
12 OF THE ORDINANCE CAN BE INSPECTED OR OBTAINED. A CITY MAY adopt  
13 ~~any~~ A plumbing code, electrical code, or building code ~~which~~  
14 THAT has been promulgated by ~~the state of Michigan, or~~ THIS  
15 STATE, by any department, board, or other agency ~~thereof~~ OF  
16 THIS STATE, or by ~~any~~ AN organization or association ~~which~~  
17 THAT is organized and conducted for the purpose of developing  
18 ~~any such code or codes~~ THE CODE, by reference ~~thereto~~ TO THE  
19 CODE in an adopting ordinance and without publishing ~~any such~~  
20 THE code in full. ~~Provided, That said code is~~ THE CODE SHALL  
21 BE clearly identified in ~~said~~ THE ordinance and ~~that~~ the pur-  
22 pose of ~~said~~ THE code shall be published with the adopting  
23 ordinance. ~~and that printed copies thereof are~~ PRINTED COPIES  
24 OF THE CODE SHALL BE kept in the office of the city clerk, avail-  
25 able for inspection by and distribution to the public at all  
26 times. ~~, and that the~~ THE publication shall contain a notice  
27 ~~to the effect~~ STATING that a complete copy of ~~said~~ THE code

1 is available for public use and inspection at the office of the  
2 city clerk.