

SENATE BILL NO. 1180

June 3, 1998, Introduced by Senator STILLE and referred to the Committee on Local, Urban and State Affairs.

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 a president who shall be the
4 executive head, a clerk, and a ~~commission or other body vested~~
5 ~~with~~ legislative ~~power~~ BODY, and shall fix their
6 compensation. An election may be by a partisan, nonpartisan, or
7 preferential ballot or by any other legal method of voting.

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

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

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

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

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

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

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

13 (i) ~~For the~~ THE publication of an ordinance or a synopsis
14 of an ordinance before the ordinance becomes operative. IF THE
15 VILLAGE PUBLISHES A SYNOPSIS OF THE ORDINANCE, THE PUBLICATION
16 SHALL INCLUDE THE LOCATION IN THE VILLAGE WHERE A COPY OF THE
17 ORDINANCE CAN BE INSPECTED OR OBTAINED. Whether or not provided
18 in its charter, a village may adopt a ~~plumbing code, electrical~~
19 ~~code, or building code which has been promulgated by this state,~~
20 ~~by a department, board, or other agency of this state, or by an~~
21 ~~organization or association which is organized and conducted for~~
22 ~~the purpose of developing that code~~ STATUTE OR RULE OF THIS
23 STATE, INCLUDING BUT NOT LIMITED TO A STATUTE OR RULE ADOPTING BY
24 REFERENCE A CODE PROMULGATED BY ANOTHER PUBLIC OR PRIVATE ENTITY
25 OR A STATUTE OR RULE CONSTITUTING THE TEXT OF A CODE, OR MAY
26 ADOPT A CODE PROMULGATED BY ANOTHER PUBLIC ENTITY OR A PRIVATE
27 ENTITY, by ~~making~~ reference ~~to that code~~ in an adopting

1 ordinance ~~—~~ AND without publishing ~~that~~ THE STATUTE, RULE, OR
2 code in full. IF AN ORDINANCE ADOPTS BY REFERENCE A STATUTE OR
3 RULE OF THIS STATE, THE ORDINANCE MAY INCORPORATE FUTURE AMEND-
4 MENTS OR REVISIONS OF THE STATUTE OR RULE BY EXPLICITLY PROVIDING
5 THAT FUTURE AMENDMENTS OR REVISIONS ARE INCORPORATED BY REFERENCE
6 WHEN, OR A SPECIFIED PERIOD OF TIME AFTER, THEY TAKE EFFECT IN
7 THIS STATE. The STATUTE, RULE, OR code shall be clearly identi-
8 fied in the ordinance and a statement of the purpose of the
9 STATUTE, RULE, OR code shall be published with the adopting ordi-
10 nance OR WITH THE SYNOPSIS OF THE ADOPTING ORDINANCE. Printed
11 copies of the STATUTE, RULE, OR code ADOPTED BY THE VILLAGE BY
12 REFERENCE shall be kept in the office of the village clerk, ~~and~~
13 ~~made~~ available to the public. ~~at all times.~~ IF A STATUTE OR
14 RULE OF THIS STATE IS ADOPTED BY THE CITY BY REFERENCE AND THE
15 STATUTE OR RULE ADOPTS BY REFERENCE A CODE PROMULGATED BY ANOTHER
16 PUBLIC ENTITY OR A PRIVATE ENTITY, COPIES OF THE CODE ITSELF
17 SHALL ALSO BE KEPT IN THE OFFICE OF THE CITY CLERK, AVAILABLE FOR
18 INSPECTION BY AND DISTRIBUTION TO THE PUBLIC. The NEWSPAPER pub-
19 lication OF THE ORDINANCE shall contain a notice ~~stating~~ that a
20 complete copy of the STATUTE, RULE, OR code is available to the
21 public at the office of the village clerk.

22 (j) ~~For all~~ THAT THE business ~~which~~ OF the legislative
23 body ~~may perform to~~ SHALL be conducted at a public meeting of
24 the body held in compliance with the open meetings act, ~~Act~~
25 ~~No. 267 of the Public Acts of 1976, as amended, being sections~~
26 ~~15.261 to 15.275 of the Michigan Compiled Laws 1976 PA 267, MCL~~
27 15.261 TO 15.275, and all records of the municipality shall be

1 available to the public under the freedom of information act,
2 ~~Act No. 442 of the Public Acts of 1976, as amended, being sec-~~
3 ~~tions 15.231 to 15.246 of the Michigan Compiled Laws 1976 PA~~
4 442, MCL 15.231 TO 15.246.

5 (k) ~~For adopting~~ ADOPTING, continuing, amending, or
6 repealing village ordinances.

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