

SENATE BILL No. 1328

September 19, 2000, Introduced by Senator BENNETT and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1895 PA 3, entitled
"The general law village act,"
by amending section 4 of chapter VI (MCL 66.4), as amended by
1999 PA 259.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER VI

1
2 Sec. 4. (1) Within 15 days after an ordinance is passed,
3 the clerk shall publish the ordinance or a synopsis of the ordi-
4 nance in a newspaper circulated in the village. IF THE CLERK
5 PUBLISHES A SYNOPSIS OF THE ORDINANCE, THE CLERK SHALL INCLUDE IN
6 THE PUBLICATION THE LOCATION IN THE VILLAGE WHERE A COPY OF THE
7 ORDINANCE CAN BE INSPECTED OR OBTAINED. Immediately after the
8 ordinance or synopsis of the ordinance is published, the clerk
9 shall enter in the record of ordinances, in a blank space to be
10 left for that purpose under the record of the ordinance, a signed

1 certificate, stating the date on which and the name of the
2 newspaper in which the ordinance was published. The certificate
3 is prima facie evidence of the publication of the ordinance or
4 the synopsis.

5 (2) A village may adopt a provision of any state statute for
6 which the maximum period of imprisonment is 93 days, the Michigan
7 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or a ~~plumbing~~
8 ~~code, electrical code, mechanical code, fire protection code,~~
9 ~~building code, or other code promulgated by this state, by a~~
10 ~~department, board, or other agency of this state, or by an organ=~~
11 ~~ization or association that is organized or conducted for the~~
12 ~~purpose of developing a code, by reference to the law or code in~~
13 ~~an adopting ordinance and without publishing the law or code in~~
14 ~~full. The law or code shall be clearly identified in the ordi=~~
15 ~~nance and a statement of the purpose of the law or code shall be~~
16 ~~published with the adopting ordinance. Printed copies of the law~~
17 ~~or code shall be kept in the office of the village clerk avail=~~
18 ~~able for inspection by or distribution to the public during~~
19 ~~normal business hours. The village may charge a fee that does~~
20 ~~not exceed the actual cost for copies of the law or code distrib=~~
21 ~~uted to the public. The publication in the newspaper shall con=~~
22 ~~tain a notice to the effect that a complete copy of the law or~~
23 ~~code is available for public use and inspection at the office of~~
24 ~~the village clerk. STATUTE OR RULE OF THIS STATE, INCLUDING BUT~~
25 ~~NOT LIMITED TO A STATUTE OR RULE ADOPTING BY REFERENCE A CODE~~
26 ~~PROMULGATED BY ANOTHER PUBLIC OR PRIVATE ENTITY OR A STATUTE OR~~
27 ~~RULE CONSTITUTING THE TEXT OF A CODE, OR MAY ADOPT A CODE~~

1 PROMULGATED BY ANOTHER PUBLIC ENTITY OR A PRIVATE ENTITY BY
2 REFERENCE IN AN ADOPTING ORDINANCE AND WITHOUT PUBLISHING THE
3 STATUTE, RULE, OR CODE IN FULL. IF AN ORDINANCE ADOPTS BY REFER-
4 ENCE A STATUTE OR RULE OF THIS STATE, THE ORDINANCE MAY INCOR-
5 PORATE FUTURE AMENDMENTS OR REVISIONS OF THE STATUTE OR RULE BY
6 EXPLICITLY PROVIDING THAT FUTURE AMENDMENTS OR REVISIONS ARE
7 INCORPORATED BY REFERENCE WHEN, OR A SPECIFIED PERIOD OF TIME
8 AFTER, THEY TAKE EFFECT IN THIS STATE. THE STATUTE, RULE, OR
9 CODE SHALL BE CLEARLY IDENTIFIED IN THE ORDINANCE, AND A STATE-
10 MENT OF THE PURPOSE OF THE STATUTE, RULE, OR CODE SHALL BE PUB-
11 LISHED WITH THE ADOPTING ORDINANCE OR WITH THE SYNOPSIS OF THE
12 ADOPTING ORDINANCE. COPIES OF THE STATUTE, RULE, OR CODE ADOPTED
13 BY THE VILLAGE BY REFERENCE SHALL BE KEPT IN THE OFFICE OF THE
14 VILLAGE CLERK, AVAILABLE FOR INSPECTION BY AND DISTRIBUTION TO
15 THE PUBLIC. IF A STATUTE OR RULE OF THIS STATE IS ADOPTED BY THE
16 VILLAGE BY REFERENCE AND THE STATUTE OR RULE ADOPTS BY REFERENCE
17 A CODE PROMULGATED BY ANOTHER PUBLIC ENTITY OR A PRIVATE ENTITY,
18 COPIES OF THE CODE ITSELF SHALL ALSO BE KEPT IN THE OFFICE OF THE
19 VILLAGE CLERK, AVAILABLE FOR INSPECTION BY AND DISTRIBUTION TO
20 THE PUBLIC. THE NEWSPAPER PUBLICATION OF THE ORDINANCE SHALL
21 CONTAIN A NOTICE THAT A COMPLETE COPY OF THE STATUTE, RULE, OR
22 CODE IS AVAILABLE FOR INSPECTION BY AND DISTRIBUTION TO THE
23 PUBLIC AT THE OFFICE OF THE VILLAGE CLERK. A village shall not
24 enforce any provision adopted by reference for which the maximum
25 period of imprisonment is greater than 93 days.