

CHARTER COUNTIES (EXCERPT)
Act 293 of 1966

45.515 County charter; permissible provisions.

Sec. 15. A county charter adopted under this act may provide for 1 or more of the following:

(a) The office of corporation counsel, public defender, auditor general, and all other offices, boards, commissions, or departments necessary for the efficient operation of county government. The charter may also provide for the power and authority to establish, by ordinance, other offices, boards, commissions, and departments as may become necessary.

(b) That the legislative body of any unit of government that is wholly or partially within the county may transfer, subject to the approval of the legislative body of the county and on mutually agreed conditions, a municipal function or service to the county if the performance of the function or service by the county is not specifically prohibited by law, and if the function or service is offered on a countywide basis.

(c) The authority to perform at the county level any function or service not prohibited by law, including, but not limited to, police protection, fire protection, planning, zoning, education, health, welfare, recreation, water, sewer, waste disposal, transportation, abatement of air and water pollution, civil defense, and any other function or service necessary or beneficial to the public health, safety, and general welfare of the county. Powers granted solely by charter may not be exercised by the charter county in a local unit of government that is exercising a similar power without the consent of the local legislative body. The cost of a service authorized by charter to be performed by the county, may be determined by negotiation between the local unit of government and the charter county and the cost must be charged to the local unit of government or area benefited by the service, unless it is rendered on a countywide basis in which event the cost may be paid from the general fund of the county. If a function exercised by a local unit of government is transferred to the county and becomes a county function financed through the general fund of the county, the county shall reimburse a local unit of government a negotiated sum representing the value of the transferred capital assets of the function owned by and paid for by the local unit of government, including outstanding bonded indebtedness of the local unit of government.

(d) The establishment and maintenance, either within or outside of the county corporate limits, of roads, parks, cemeteries, hospitals, medical facilities, airports, ports, jails, water supply and transmission facilities, sewage transmission and disposal systems, all public works, or other types of facilities necessary to preserve and provide effectively for the public health, safety, and general welfare of the county.

(e) The power and authority to levy and collect taxes, fees, rents, tolls, or excises, the levy and collection of which is authorized by law. The county may not levy a tax on income unless authorized by law.

(f) Subject to section 15c, a system of retirement for county officers and employees.

(g) A classified civil service or merit system for county officers and employees, except those officers and employees who are expressly exempted from civil service by either the state constitution of 1963 or law.

(h) The election or appointment of a drain commissioner.

History: 1966, Act 293, Eff. Mar. 10, 1967;—Am. 1980, Act 7, Imd. Eff. Feb. 13, 1980;—Am. 2017, Act 210, Imd. Eff. Dec. 20, 2017.