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Sec. 4.01. General Provisions.

- (a) *Creation of Departments.* The city council may establish City departments, offices or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices and agencies.
- (b) *Direction by City Manager.* All heads of departments, offices and agencies, with the exception of the city attorney, shall be under the direction and supervision of the city manager and shall be appointed by and subject to the direction and supervision of the manager. With the consent of city council, the city manager may serve as the head of one (1) or more such departments, offices or agencies or may appoint one (1) person as the head of two (2) or more of them.
- (c) *Compensation.* The city council shall provide for the compensation of all officers, other than the mayor and city councilmembers.

Sec. 4.02. City Officers.

There shall be the following City officers and such other officers as the council may from time to time establish or which may be required by state law. City officers may be City employees or may be hired from outside of City employment. All City officers shall have qualifications required by state law, those set forth herein and other qualifications required by the council, and they shall perform the duties set forth herein and otherwise required by law. The city council shall require officers to file bonds as may be appropriate or required by state law. All City officers, unless specifically provided to the contrary, shall be appointed and removed by the city manager pursuant to section 3.04.

- (a) *City Clerk.* The city clerk shall publish and post all notices, keep the city seal, [and] records and documents of the City and of the council's proceedings. The clerk shall have the power to administer all oaths required by law and by the ordinances of the City. The clerk shall give proper officials ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements to which the City is a part and shall notify the council of any failure of any officer or employee required to take an oath of office or furnish any bond required of the officer or employee. The clerk shall perform such other duties as the City may require.
- (b) *City Treasurer.* The city treasurer shall have custody of all monies, bonds and evidence of value belonging to the City or held in trust by the City. The city treasurer shall receive all monies belonging to and receivable by the City and shall keep correct accounts of all receipts and expenditures, deposit all funds as the city council may determine, keep and furnish detailed reports on a continuing and daily basis concerning all funds, collect and distribute all taxes and assessments as required by law and perform such other duties as may be prescribed by the laws of the state and this charter or by the City. The city treasurer shall keep the City's books of account. The treasurer shall establish and maintain the system of accounts suitable for all departments of the City which shall conform to any uniform system required by law. The city treasurer shall examine all accounts and claims against the City, verify the correctness of the account and its amount. Payments from any account shall not be allowed unless money has been

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appropriated therefor nor shall payments from any account be made unless sufficient money is in the fund on which it is drawn. The city treasurer shall perform such other duties as naturally pertain to the office and as may be required by the charter, the laws of the State of Michigan or by the city manager.

- (c) *City Assessor.* The city assessor shall perform all the duties and have all the powers required of and vested in the office by the laws of the State of Michigan. The assessor shall prepare all regular and special assessment rolls as required by the charter and the laws of the state and perform such other duties as may be prescribed or required by the law and this charter. The city assessor must possess those qualifications required by, state law to perform the office of assessor.
- (d) *City Attorney.* The city attorney shall serve as chief legal adviser to the city council, the city manager, all city departments, officers, agencies and trust funds, shall represent the City in all legal proceedings and shall perform any other duties prescribed by this charter or by ordinance. The city attorney shall be an attorney at law admitted to practice in the State of Michigan and appointed by and subject to removal by the city council.

State Law reference— Charter to provide for certain officers and duties of officers, MCL 117.3(a), (d).

Sec. 4.03. Planning.

Consistent with all applicable federal and state laws with respect to land use, development and environmental protection, the city council shall:

- (1) Designate and appoint a planning commission under state law to carry on all responsibilities set forth by state statute including, but not limited to, the adopting, amending and revising of comprehensive and master plans of the City, making determinations as required or permitted by state law on all matters which may come before it, and making recommendations to the city council as to zoning ordinance amendments, zone changes and other actions requiring city council action.
- (2) Adopt zoning ordinances, zone changes and ordinance amendments, including, but not limited to, prescribing in ordinance form such development and land use regulations and standards as may be appropriate in its judgment and in accordance with state law.

State Law reference— Planning, MCL 125.31 et seq.

FOOTNOTE(S):

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State Law reference— Charter may provide for the establishment of departments, MCL 117.4j(1). [\(Back\)](#)