

ARTICLE IX. GENERAL PROVISIONS

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**Sec. 9.01. Conflicts of Interest.**

No public officer or employee shall violate prescribed standards of conduct established by state law.

The use of public office for private gain is prohibited. The city council shall implement this prohibition by ordinance. Regulations to this end shall include but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by City officials before other City agencies on behalf of private interests. Ordinances and regulations regarding conflict of interest shall be limited and superseded by state law in matters which are covered in state statute.

**State Law reference**— Conflicts of interest, MCL 15.341 et seq.

**Sec. 9.02. Prohibited Activities.**

No public official or employee shall illegally discriminate in any personnel relationship, illegally discriminate in the providing of municipal services, or impugn the integrity of the public service by way of fraud or bribery. The city council shall further implement this provision by ordinance, which shall be limited and superseded by state law in matters which are covered in state statute.

**Sec. 9.03. Special Assessments.**

Provisions for the creation of special assessment, districts, rules and regulations, hearings and levying of special assessments shall be determined by ordinance. The City shall have the power to issue special assessment bonds in accordance with state law, which, when payable in whole or in part from special assessments, shall not be subject to debt limitations, except as otherwise provided by state law. Notwithstanding any city ordinance on special assessments, if at or prior to the hearing authorizing the levying of the special assessment, the owners of more than one-half of the property to be assessed shall object in writing to the improvement, the assessment shall not be made unless by the affirmative vote of at least five (5) members of the council.

PART I - CHARTER

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**Sec. 9.04. Franchises.**

The City shall provide by ordinance for the requirements and conditions pursuant to which franchises may be granted to public utilities and other franchisees. Franchises may be granted pursuant to said ordinance in accordance with the Constitution and the laws of the State of Michigan.

**State Law reference**— Limitation on franchises, Mich. Const. art. VII, §§ 25, 30; expenses of special elections on franchises, MCL 117.5(i).

**Sec. 9.05. Public Works and Improvements.**

The City shall have the right to make and maintain public improvements and public works for municipal purposes, acquire lands therefor in any legal manner and provide for the cost thereof from public funds, subject only to the limitations of the constitution and the laws of the State of Michigan. The city council shall have the right to apportion costs of such improvements and works between public expenditures and special assessments. The City shall have control of all public ways and the spaces above and below same, and further shall have the power to acquire, operate and maintain public utilities and issue revenue bonds in connection therewith. The city council shall implement said powers by appropriate ordinance.

**Sec. 9.06. Zoning; Planning.**

The City may prescribe by its zoning ordinance zoning districts for land uses within the City. The City may provide for planning of streets and alleys within its limits and require conformance with said plans, and establish master plans.

**Sec. 9.07. Licenses.**

The City may regulate and license trades, occupations and amusements within its boundaries by ordinance, not inconsistent with state or federal law.

**Sec. 9.08. Building Regulations.**

The City may regulate construction, maintenance and repair of buildings within its boundaries.

**Sec. 9.09. City Property.**

The City may purchase, own, and sell real estate both within the City limits and outside of the City limits. The sale of any existing City park, that being Medbery Park, Lakefront Park and Maple Grove Park, or any future park designated such by the city council, shall be sold only upon approval of five (5) affirmative votes from the city council and approval of the electorate by a majority of those voting on the question at a special or general election. Further, the sale of a park or cemetery, or any part thereof, may not occur if the park or cemetery is required under the City's Master Plan.