

PART I CHARTER

PART I CHARTER ⁽¹⁾

PREAMBLE

We, the People of the City of Saline, County of Washtenaw, State of Michigan, pursuant to the authority granted by the Constitution and the Statutes of the State of Michigan, in order to establish a City government, and to provide for and maintain the essential interest and welfare of all our people, do hereby ordain and establish this Charter of the City of Saline, Michigan.

[CHAPTER 1. - NAME AND BOUNDARIES](#)

[CHAPTER 2. - CORPORATE POWERS](#)

[CHAPTER 3. - ELECTIONS](#)

[CHAPTER 4. - GOVERNMENTAL ORGANIZATION](#)

[CHAPTER 5. - GENERAL PROVISIONS REGARDING OFFICERS AND PERSONNEL OF THE CITY](#)

[CHAPTER 6. - THE COUNCIL: PROCEDURE AND MISCELLANEOUS POWERS AND DUTIES](#)

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[CHAPTER 8. - GENERAL FINANCE, BUDGET, AUDIT, PURCHASING](#)

[CHAPTER 9. - TAXATION](#)

[CHAPTER 10. - BORROWING POWER](#)

[CHAPTER 11. - JUSTICE COURT](#)

[CHAPTER 12. - SCHEDULE](#)

FOOTNOTE(S):

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Editor's note— Printed herein is the Charter of the City of Saline, as adopted by the electors on November 6, 1962, and effective on January 1, 1963. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets. ([Back](#))

State Law reference— Home rule cities generally, MCL 117.1 et seq.; power to adopt and amend Charter, Mich. Const. 1963, Art. VII, § 22. ([Back](#))

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CHAPTER 1. NAME AND BOUNDARIES

CHAPTER 1. NAME AND BOUNDARIES

[Sec. 1.1. Name and boundaries.](#)

Sec. 1.1. Name and boundaries.

The municipal corporation now existing is known as the "City of Saline" and comprises all those tracts of land situated in the townships of Saline, York, Pittsfield and Lodi in the County of Washtenaw and described as follows, to wit:...all in Washtenaw County, State of Michigan, shall continue to be a body politic and corporate under the name of City of Saline, and include the territory above described, together with such territory as may from time to time be attached thereto, and less such territory as may from time to time be detached therefrom, in accordance with law.

Editor's note—

The description of the boundaries of the city has been omitted from this publication by the editors since it is subject to change by annexation ordinances.

CHAPTER 2. CORPORATE POWERS

[Sec. 2.1. General powers.](#)

Sec. 2.1. General powers.

The city shall have power to exercise any and all of the powers which cities are and/or may hereafter be permitted to exercise under the constitution and laws of the State of Michigan, as fully and completely as though the powers were specifically enumerated herein, and no enumeration of particular powers of the city in this charter shall be held to be exclusive.

State law reference— Permissible that charter provide that the city may exercise all municipal powers in the management and control of municipal property and in the administration of the municipal government, MCL 117.4j(3).

CHAPTER 3. ELECTIONS ^[2]

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[Sec. 3.8. Notice of election; acceptance of office.](#)

Sec. 3.1. Qualification of electors.

The residents of the city having the qualifications of electors in the State of Michigan, and no others, shall be electors of the city.

State law reference— Qualifications for registration as elector, MCL 168.492.

Sec. 3.2. Election procedure.

The election of all city officers shall be on a nonpartisan basis. The general election laws of the state shall apply to and control, as near as may be, all procedures relating to registration and city elections except as such general laws relate to political parties or partisan procedure and except as otherwise provided in this charter. The whole of the City of Saline shall be one ward for election purposes.

State law reference— Michigan election laws, MCL 168.1 et seq.

Sec. 3.3. Election date and terms of office; compensation.

A regular city election shall be held each year on the Tuesday following the first Monday in November for the purpose of electing three councilmen for terms of two years each; provided, however, that in even numbered years, in addition to the election of said three councilmen, a mayor shall be elected for a term of two years. All officers so elected shall serve their respective terms from the first Monday in January following their election and shall receive a salary of three hundred dollars (\$300.00) each per year payable quarterly in equal installments. In addition to the salary for a councilman, the mayor shall receive a salary of three hundred dollars (\$300.00) per year payable quarterly in equal installments, excepting the incumbent mayor.

(Am'd. by electors, 11-3-70)

Editor's note—

A local officers' compensation commission has been formed to determine salaries. See [section 2-271](#) et seq.

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Sec. 3.4. Special elections.

Special elections shall be held when called by resolution of the city council at least thirty (30) days in advance of the election, or when required by this charter or the general laws of the state.

State law reference— Special election approval, MCL 168.631, 168.639.

Sec. 3.5. Petitions for nomination.

Every person desiring to become a candidate for any elective office under this charter shall, not later than the Tuesday following the first Monday in August, except as otherwise provided by law, file with the city clerk a petition signed by not less than fifty (50) registered electors of the city. Blank petitions shall be furnished by the city clerk. The city clerk shall immediately determine the sufficiency of such petitions, and when he finds any petition insufficient, shall forthwith notify the candidate, who may file an amended petition not later than the fifteenth day prior to the election. All such petitions not circulated by the candidate named therein must be accompanied by the candidate's written consent to nomination.

(Am'd. by electors, 11-8-88; Am'd by electors, 11-2-93)

State law reference— Mandatory that charter provide for nomination of elective officers, MCL 117.3(b); nonpartisan nominating petitions, MCL 168.544a.

Sec. 3.6. Form of ballot.

The ballots for all elections under this charter shall contain the names of the candidates arranged under the several offices, with a square at the left of each name, and a notation above each office-group of the number to be voted for, without any party designation, or mark, or anything indicating what the opinion of the candidates are or may be.

State law reference— Arrangement of ballot, MCL 168.706.

Sec. 3.7. Canvass of votes.

The council shall be the board of canvassers to canvass the votes cast at all city elections. The council shall meet at 8:00 p.m., Eastern Standard Time, on the first Thursday after such election and publicly canvass the election returns. The candidate or candidates, where more than one are to be elected to the same office, who shall receive the greatest number of votes shall be elected. In case of a tie vote for any office, the council shall decide by lot which of the persons who are tied shall be elected.

State law reference— Canvass of returns, MCL 168.323.

Sec. 3.8. Notice of election; acceptance of office.

Notice of the election or appointment of any officer of the city, and of the requirements of any official bond to be given by any officers, shall be given him within five days after election or appointment, by the city clerk. If within fifteen days from the date of notice, such officer shall not take, subscribe and file with the city clerk his oath of office, or shall not execute and file with the mayor the required bond, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant.

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FOOTNOTE(S):

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State Law reference— Michigan election laws, MCL 168.1 et seq.; mandatory that charter provide for the time, manner and means of holding elections, MCL 117.3(c). [\(Back\)](#)

CHAPTER 4. GOVERNMENTAL ORGANIZATION

[Sec. 4.1. The city council.](#)

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[Sec. 4.4. Administrative service.](#)

[Sec. 4.5. Planning and zoning.](#)

Sec. 4.1. The city council.

The government of the city, and the powers granted by this charter thereto, except as otherwise provided by this charter, shall be vested in a council of seven members, including a mayor who shall be the chief executive of the city.

State law reference— Mandatory that charter provide for body vested with legislative power, MCL 117.3(a).

Sec. 4.2. Election of mayor pro tem.

The council shall on the first Monday in January following each regular city election choose one of its members to be mayor pro tem for a term of one year.

Sec. 4.3. Duties of mayor.

The mayor shall be the official head of the city government for all ceremonial purposes, and for the purpose of military law. He shall preside at all council meetings and appoint all council committees. The mayor shall submit a written legislative program semiannually, at the first council meeting of January and of July of each year, and recommend such measures as he shall deem expedient. He shall sign all warrants for the payment of public funds from the city treasurer.

Sec. 4.4. Administrative service.

The council shall annually, at its first regular meeting in July of each year, appoint a city clerk, city treasurer, city assessor, health officer, city superintendent, police chief, and a fire chief and may appoint a city attorney, each of whom shall hold office until a successor is appointed by the next succeeding city council. The council may create such additional offices as it may deem necessary and may combine such additional offices and the offices provided for in this charter in one or more individuals in any manner that it deems to be to the best interests of the city. Except as otherwise provided by this charter or the general laws of the state, the duties, powers and compensation of such appointed officials shall be fixed by ordinance, provided that no official may be paid by fees, except as otherwise provided by this charter and that all fees paid to any office or officer under this charter, the ordinances of the city or the general laws of the state, shall be accounted for and paid into the city treasury by the official receiving them.

(Am'd. by electors, 11-2-71)

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CHAPTER 4. GOVERNMENTAL ORGANIZATION

Sec. 4.5. Planning and zoning.

The council shall maintain a city planning commission in accordance with and have [having] all the powers and duties granted by the provisions of statute relating to such commissions.

The council shall maintain a zoning ordinance in accordance with the provisions of statute relating to such ordinances. Insofar as may be, such ordinance shall provide that zoning be coordinated with the work of the city planning commission.

CHAPTER 5. GENERAL PROVISIONS REGARDING OFFICERS AND PERSONNEL OF THE CITY

[Sec. 5.1. Eligibility for office in city.](#)

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Sec. 5.1. Eligibility for office in city.

No person shall hold any elective office of the city unless he has been a resident of the city for at least two years immediately prior to the last day for filing petitions for such office and is also a qualified and registered elector of the city on such day and throughout his tenure of office.

No person shall be eligible for any elective or appointive city office who is in default to the city or to any other governmental unit of the state. The holding of office by any person who is in such default shall create a vacancy unless such default shall be cured within thirty days after written notice thereof by the council or unless such person shall in good faith be contesting the liability for such default.

Each candidate for elective office shall file with his petition his affidavit that he possesses the qualifications for such office provided in this section. Failure to provide such affidavit shall invalidate his petition.

The council shall be the sole judge of the election and qualification of its own members.

Each member of a city board or commission created by, or pursuant to, this charter shall have been a resident of this city for at least two years prior to the day of his appointment and shall be a qualified and registered elector of the city on such day and throughout his tenure of office.

All administrative and appointive officers shall be United States citizens and freeholders.

No incumbent elective city officer shall become a candidate for any elective city office, except to succeed himself, without first resigning from his then incumbent elective city office. Provided, that the provisions hereof shall not apply to any incumbent elective city officer whose term of office will expire with the election at which he is to be a candidate for another elective city office.

Editor's note—

A two-year residency requirement was held to be violative of the U.S. Constitution. A one-year residency requirement for city office was upheld by *Joseph v. City of Birmingham*, 510 F. Supp. 1319 (E.D. Mich. 1981). Requirement that an elected officer be a property owner is a denial of equal protection under the 14th Amendment of the U.S. Constitution. See *Turner v. Touche*, 396 U.S. 346(1969).

Sec. 5.2. Vacancies in office; removal from office.

Any vacancy on the council shall be filled by appointment by a majority of the remaining members of the council within sixty (60) days after such vacancy occurs; any vacancy in any other elective office and

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every office to be filled by appointment by the council shall be filled by the affirmative vote of four (4) councilmen. Any appointive officer may be removed by the affirmative vote of four (4) councilmen.

(Am'd. by electors, 11-6-73)

Sec. 5.3. Financial interest prohibited.

No person holding any elective or appointive office under the city government shall take any official action on any contract with the city or other matter in which he is financially interested, or be a bondsman or surety on any contract or bond given to the city. Any member of the council or other officer violating the provisions of this section shall upon conviction thereof, be fined not more than one hundred dollars (\$100.00) or be imprisoned for not more than ninety (90) days or both such fine and imprisonment, with [in] the discretion of the court. The conviction of any councilman or officer under this section shall operate in itself to forfeit his office.

Sec. 5.4. Surety bonds.

Any city officer elected or appointed by authority of this charter may be required to give bond to be approved by the council for the faithful performance of the duties of his office, in such sum as the council by ordinance or resolution shall determine and such officers who handle substantial sums of money shall be bonded. All official bonds, except those of the justices of the peace, which shall be the same as provided by state law for justices of the peace in the townships, shall be surety bonds and the premiums thereon shall be payable by the city. All official bonds shall be filed with the mayor.

CHAPTER 6. THE COUNCIL: PROCEDURE AND MISCELLANEOUS POWERS AND DUTIES

[Sec. 6.1. Meetings; attendance at meetings.](#)

[Sec. 6.2. Quorum; rules and organization.](#)

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[Sec. 6.8. Naming of parks and regulation of sale thereof.](#)

Sec. 6.1. Meetings; attendance at meetings.

The council shall meet on the first Monday in January following each regular city election and shall hold at least two regular stated meetings each month for the transaction of business, at such time and place within the city as it shall prescribe. Special meetings may be called by the mayor or any two councilmen on at least twelve hours' actual notice to each member of the council, or by written notice left at their respective residences, but any special meeting at which all members of the council are present shall be a legal meeting for all purposes, without such notice.

Absence from three consecutive regular meetings shall operate to vacate the seat of a member, unless the absence is excused by the council, by resolution setting forth such excuse and entered in the minutes of the council meeting. The council may by a majority vote of those present compel the attendance of its members and other officers of the city at its meetings and enforce orderly conduct therein.

Editor's note—

Open meetings act requires 18 hours notice, MCL 15.261 et seq.

Sec. 6.2. Quorum; rules and organization.

A majority of the councilmen shall be a quorum for the transaction of business, but a less number may adjourn from time to time. Every ordinance and resolution shall be adopted or passed by the affirmative vote of four councilmen. Unless by affirmative vote of four councilmen, no office shall be created or abolished, no tax or assessment be imposed; street, alley or public ground be vacated, real estate or any interest therein be sold or disposed of, private property be taken for public use, any vote of the council be reconsidered or rescinded at a special meeting, nor any money appropriated. No councilman shall vote on any question in which he is financially interested or any question concerning his own official conduct; but on all other questions every councilman present shall vote. On all votes which are not unanimous, the yea and nay vote of each member shall be recorded and published in the regular proceedings of the meeting. The council shall determine the rules of its proceedings, and keep a journal thereof in the English language. The proceedings of each council meeting shall be published within two weeks in a local newspaper selected by the council, but each item of business shall be condensed to a

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statement of its substance by the clerk, under the direction of the council, unless otherwise provided by this charter or the general laws of the state, and except that any pertinent points of any resolution shall not be omitted, nor any vote of the council; provided, that if there be no newspaper published in the city, publication of the proceedings shall not be required. All sessions of the legislative body and all records of the municipality shall be public.

State law reference— Mandatory that Charter provide for keeping of a journal of every session, MCL 117.3(m).

Sec. 6.3. Investigations.

The council shall have authority, for the purpose of hearing or investigating charges against any officer, or making any other investigations of any character, to require the mayor or any justice of the peace to issue subpoenas or process by warrant to compel the attendance of witnesses and the production of books and papers or any records before the council or any committee thereof. In case charges are made against any officer he shall be entitled to have subpoenas issued in his behalf, to compel the attendance of witnesses and the production of books, papers and records. Whenever the council, or any committee of the members thereof, is authorized to compel the attendance of witnesses for a hearing or investigation, the presiding officer of the council or the chairman of the committee for the time being, shall have power to administer the necessary oaths; and the council or the committee shall have the same power to compel the witnesses to testify as is conferred on justices of the peace.

Sec. 6.4. Compensation of council committees.

No compensation shall be granted for service on council committees or other official committees.

Sec. 6.5. Public notices.

When by this charter any officer is required to give publication to any notice, such notice shall be published once in a newspaper selected by the council, printed and circulated in the city; and if there be no newspaper published in the city, such notice shall be printed and posted in at least five public places within the city.

Sec. 6.6. Employee welfare benefits.

The council shall have the power to adopt and make available to the administrative officers and employees of the city and its departments and boards any recognized standard plan of group life, hospital, health or accident insurance or any recognized retirement plan.

Sec. 6.7. Public health and safety.

The council shall enact such laws as are necessary for the protection of the public peace and health and for the safety of persons and property.

Sec. 6.8. Naming of parks and regulation of sale thereof.

From time to time the city council may, after recommendation by the planning commission, and a public hearing, designate by resolution certain parcels of city-owned property as a park and name the same. Such parcels, after having been so designated and named, shall not be sold, traded, or

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transferred, unless approved by a majority of the electors voting thereon at any general or special election.

(Am'd. by electors, 11-6-73)

CHAPTER 7. LEGISLATION ⁽³⁾

[Sec. 7.1. Ordinances; effective dates.](#)

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[Sec. 7.7. Referendum ballots.](#)

[Sec. 7.8. Action on conflicting ordinances.](#)

[Sec. 7.9. \[Availability.\]](#)

Sec. 7.1. Ordinances; effective dates.

The style of all ordinances passed by the council shall be: "The City of Saline ordains...." No ordinance shall be revised, altered or amended by reference to its title only, but the section or sections of the ordinance revised, altered, or amended shall be reenacted, and published in full. The effective date of any ordinance shall be prescribed therein and shall not be earlier than one week after its adoption, unless the council shall, upon attaching a declaration of emergency affecting the public peace, health or safety, fix an earlier date; but no ordinance imposing a penalty shall take effect until at least ten days after publication, and no measure making or amending a grant, renewal or extension of a franchise or other special privilege shall ever be passed as an emergency measure.

Sec. 7.2. Publication and recording of ordinances.

All ordinances when legally enacted shall be recorded by the clerk in a book to be called "The Ordinance Book" and it shall be the duty of the mayor and the clerk to authenticate such records by their official signatures. All ordinances when legally enacted shall be immediately published by the clerk in the same manner as provided for publication of notices in [section 6.5](#) of this charter, and the clerk shall enter his certificate as to the manner and date of publication under such ordinance in the ordinance book, provided, that publication of any ordinance with the regular council proceedings shall be sufficient and that if any ordinance is published in full in advance of publication of the council proceedings, it need not again be published in full with the regular council proceedings. Any ordinance may be repealed by reference to its number and title only, or any section of any ordinance may be repealed by reference to the number and title of the ordinance and the number of the section to be repealed. If the council shall order a general revision and compilation of all ordinances, the printing and binding of not less than one hundred copies of [the] compilation shall be deemed sufficient publication, and all ordinances published in said compilation shall be read and received in evidence in all courts without further proof. It shall be the duty of the council every five years, or oftener if deemed necessary by the council to review all ordinances and bring them up to date.

State law reference— Mandatory that charter provide for publication of all ordinances before they become operative, MCL 117.3(k).

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Sec. 7.3. Codification of ordinances.

Within one year after the effective date of this charter, the commission shall direct the compilation or codification in printing in looseleaf or pamphlet form of all ordinances of the city then in force. Such compilation or codification shall be completed within one year thereafter. If a codification is completed it shall be maintained thereafter in current form; if a compilation is completed, a recompilation shall be completed at least once in every year thereafter. Any codification may include provisions not previously contained in the ordinances of the city. All requirements for publication of such compilation or codification and of the ordinances contained therein, other provisions of this charter notwithstanding, may be met by making copies thereof available for inspection by, and distribution to, the public at a reasonable charge and by publishing notice of the printing and availability thereof before the effective date thereof. The copies of the ordinances and of any compilation, code or codes referred to in the charter may be certified by the clerk and when so certified shall be competent evidence in all courts and legally established tribunals as to the matter contained therein.

State law reference— Codification authority, MCL 117.56.

Sec. 7.4. Initiative and referendum procedure.

Ordinances may be initiated by petition. Within sixty days after certification by the clerk of the sufficiency of a petition, the council shall take action either by passing the initiated ordinance without alteration, or in amended form, or by rejecting it. If the council shall pass the ordinance without alteration or in amended form, it shall become law; but if the initiated ordinance is adopted in amended form, it shall not take effect if the committee of petitioners named in the petition certify to the clerk within ten days after the measure is adopted that they require submission of the initiated ordinance without alteration to the vote of the electors; and if the initiated ordinance so submitted be approved by a majority of the electors voting thereon, the ordinance as passed by the council shall stand repealed. If the council rejects the initiated ordinance outright, it shall be submitted without alteration to the vote of the people. Whenever an initiated ordinance is required by this charter to be submitted to the people, the council shall call a special election within sixty days, but not within thirty days, after action has been taken by the council in accordance with the provisions of this section, unless a regular city or state election or primary is fixed within ninety days, but not within thirty days; and if approved by a majority of the electors voting thereon, it shall be deemed enacted and shall be recorded and authenticated as are other ordinances. The repeal of any ordinance may be initiated as here provided for the adoption of ordinances.

State law reference— Charter may provide for initiative and referendum, MCL 117.4i(6).

Sec. 7.5. Suspension and repeal of an ordinance.

If within thirty days after the passage of any ordinance by the council a petition shall be filed with the city clerk protesting against the ordinance, or any part of it, the protested ordinance or part shall be suspended from going into operation, and where an ordinance has already gone into effect as an emergency measure, its further operation shall be suspended. At the next meeting of the council after certification by the clerk of the sufficiency of a petition, the council shall vote upon whether the protested ordinance or part shall be repealed. If not repealed by the council, it shall be submitted to the electors at the next regular city or state election or primary, or at a special election which may be called for this purpose at the discretion of the council; and unless approved by a majority of the electors voting thereon, it shall stand repealed.

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Sec. 7.6. Initiatory and referendary petitions.

To be effective, initiative and referendum petitions shall be signed only by qualified and registered electors of the city to a number equal to that required for initiatory petitions to place charter amendments on the ballot, and attached to every signature shall be added the date of signing and the place of residence of the signer, the street and number, or other adequate description. The signatures need not be made by one paper, but all petition papers circulated with reference to any ordinance shall be uniform in character. The circulator of each paper shall make an affidavit that each signature appended to the paper was made in his presence and is the genuine signature of the person whose name it purports to be. Signatures shall be in ink or indelible pencil. Initiative petitions shall contain the purported ordinance in full and initiative and referendum petitions alike shall name five persons as a committee to represent the signers.

All papers comprising an initiative or referendum petition shall be filed with the city clerk. The clerk shall proceed immediately to determine the sufficiency of the petition, and upon completion of the examination shall attach his certificate of the result. If the petition is defective, the clerk shall show by his certificate in what respect, and shall at once notify the committee of the petitioners of his finding. The petition may be amended within ten days after the making of the certificate by the clerk by the filing of a supplementary petition upon additional papers, which shall be examined and certified by the clerk as before. If the certificate of the clerk shows the petition still insufficient, proceedings thereon shall be terminated, without prejudice to the filing of a new petition for the same purpose. The clerk shall cause any ordinance or proposition which is required to be submitted to the electors, to be published in full, with the notice of election therefor.

Sec. 7.7. Referendum ballots.

The ballot used when voting upon an ordinance submitted to the electors shall contain a ballot title, which may be distinct from the legal title, and which shall be prepared by the city clerk in a clear, concise statement, without argument or prejudice, of the substance of the ordinance. Below the title shall appear on the ballot the following propositions one below the other, in the order indicated: "For the Ordinance" and "Against the Ordinance." Immediately to the left of each proposition shall be a square, in which by making a cross (x) mark the elector may vote for or against the ordinance or part.

Sec. 7.8. Action on conflicting ordinances.

If the provisions of two or more ordinances or propositions adopted at the same election be inconsistent, the measure receiving the highest affirmative vote shall prevail in so far as it or its provisions are inconsistent with any other ordinance or proposition adopted at the same election. No ordinance which has been adopted by vote of the electors shall be repealed or amended within two years except by vote of the electors. The council may itself submit propositions for the repeal or amendment of any ordinance at any city election.

Sec. 7.9. [Availability.]

Initiative and referendum procedures shall be available, to the full extent permitted by law, including but not limited to section 4(i) of Act No. 279 of the Public Acts of Michigan of 1909 (MCL 117.1 et seq., MSA 5.2071 et seq.), as amended, to all matters within the scope of the powers of the city exercised by the city council or by any board, commission, department or agency thereof, except as hereinafter provided. The effect of any such action shall be suspended pending referendum if, within thirty (30) days after official public notice thereof, a petition shall be filed with the city clerk, signed by not less than ten percent (10%) of the registered electors of the city, protesting said action and requesting referendum thereon. Upon certification by the clerk of such a petition for referendum, the city action which is the

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subject of the petition shall be submitted to the electors in the manner required by section 25 of Act No. 279, as amended, being the Home Rule City Act, and unless approved by a majority of the electors voting thereon, such action shall stand repealed, and shall not be reenacted within two (2) years except by a majority vote of the electors voting thereon. Services essential to the peace and safety of the city, emergency services, receipt and expenditure of regular budgeted items, and purchases of less than \$5,000.00 shall be excepted from the initiative and referendum procedures herein established. Unless otherwise herein specified, the procedures applicable to initiative and referendum as set forth in section 25 of the Home Rule City Act shall apply.

(Am'd. by electors, 11-4-75)

FOOTNOTE(S):

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State Law reference— Mandatory that charter provide for ordinances, MCL 117.3(k); general authority relative to adoption of ordinances, Mich. Const. 1963, art. VII, § 22. [\(Back\)](#)

CHAPTER 8. GENERAL FINANCE, BUDGET, AUDIT, PURCHASING

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Sec. 8.1. Fiscal year.

The fiscal year of the City of Saline shall begin with the first day of July of each year and end on the thirtieth day of June of the following year.

State law reference— Uniform budgeting and accounting act, MCL 141.421 et seq.

Sec. 8.2. Preparation of budget.

Before the third Monday in April each other city officer shall submit to the city clerk an itemized estimate of the expenditures for the next fiscal year, of the department or departments under his control. The clerk shall prepare a complete itemized budget for the next fiscal year, and shall submit it to the council on or before the first Monday in May.

Sec. 8.3. Budget control.

All budget accounts shall be separated as to maintenance and capital expenditures, and every important item in each account shall be listed separately. Once the budget is established, no account can be overdrawn, and no account can be increased except by five-sevenths vote of the council, and any item of any account which is not expended must be turned over to the general fund at the end of each fiscal year, except that the council may transfer unexpended funds, or funds which prove to be in excess of needs, from any account or department to any account or department appropriation which the council may decide to increase as above provided.

Sec. 8.4. Adoption of budget.

On or before the first Monday in June, the budget for all municipal expenditures for the next fiscal year shall be adopted by resolution for a levy of the amount necessary to be raised by taxation. Upon adoption of the annual tax levy, the assessor shall prepare a tax roll which he shall deliver to the treasurer on or before the twentieth day of June. The taxes thus assessed shall become at once a debt to the city from the persons to whom they are assessed, and the amounts assessed, together with all charges thereon, shall on the first day of July become a lien on the property assessed, of the same character and effect as the lien created by general law for state and county taxes until paid.

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CHAPTER 8. GENERAL FINANCE, BUDGET, AUDIT, PURCHASING

Sec. 8.5. Independent audit; annual report.

An independent audit shall be made of all city accounts at least annually, and more frequently if deemed necessary by the council. Such audit shall be made by certified public accountants experienced in municipal accounting selected by the council. The clerk, or such other officers as the council may designate, shall prepare an annual report of the affairs of the city including a financial report which shall be available for inspection at the office of the clerk, and shall be published annually.

Sec. 8.6. System of accounts.

The council shall require that the system of accounts maintained by the City of Saline shall conform to such uniform system as may be required by law.

CHAPTER 9. TAXATION ^[4]

[Sec. 9.1. Tax day; tax roll.](#)

[Sec. 9.2. Board of review.](#)

[Sec. 9.3. Meeting of board of review.](#)

[Sec. 9.4. Taxes due; notification thereof.](#)

[Sec. 9.5. Special assessments.](#)

[Sec. 9.6. Unpaid taxes.](#)

[Sec. 9.7. State, county and school taxes.](#)

Sec. 9.1. Tax day; tax roll.

The thirty-first day of December shall be the tax day in the City of Saline. The taxable status of persons and real and personal property shall be determined as of the tax day. The subjects of taxation for municipal purposes shall be the same as for state, county and school purposes under the general law. Each year the city assessor shall, on or before the first Monday in March, make and complete an assessment roll of taxable property in the city, and shall submit the roll over his certificate to the council. The assessment roll shall be open to public inspection during the week of the second Monday in March, and notice to that effect shall be published by the clerk in advance. Within this period any person may file in writing with the clerk a complaint of any assessment, stating specifically the grounds of the complaint.

State law reference— Designation of tax day, MCL 211.2; time, place and method of assessment, MCL 211.10 et seq.

Sec. 9.2. Board of review.

In the year of the adoption of this charter the council shall appoint three members to the board of review for one-year, two-year, and three-year terms respectively (terms to begin in January after adoption of this charter), and in January of each succeeding year thereafter for a term of three years, to replace the member whose term expires that year. The council shall fix the compensation of the members of the board.

The board of review shall be composed of three freeholders who are qualified and registered electors of this city who during their term of office shall not be city officers or employees or be nominees or candidates for elective city office. The filing by a member of the board of review of his nomination for an elective city office or the filing of a consent thereto shall constitute a resignation from the board of review.

The board of review shall annually in February elect its own chairman for the ensuing year, and the assessor shall be clerk of the board and shall be entitled to be heard at its sessions. A majority of the members of the board shall constitute a quorum.

Proceedings of the board of review shall be fixed by ordinance which shall provide, among other things deemed necessary by the council, for notice of meetings, notice of assessment changes, confirmation of assessment roll.

State law reference— Mandatory that charter provide for a board of review, MCL 117.3(a).

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CHAPTER 9. TAXATION

Sec. 9.3. Meeting of board of review.

The board of review shall meet on the third Monday in March to review the roll and to consider any complaints which property owners may make in person, or by attorneys; the board may continue its meeting on such successive days as may be necessary to hear all complaints. Notice of the meeting of the board of review shall be published by the clerk in advance. Before the first Monday in April the board shall complete its review of the roll, which shall, during the next fiscal year be the basis for the levy and collection of all general taxes in the city.

State law reference— Mandatory that charter provide for meeting of board of review, MCL 117.3(i).

Sec. 9.4. Taxes due; notification thereof.

Taxes levied by the city shall be due and payable on the first day of July. The treasurer shall give notice by publication of the collection of the taxes before that date. A collection fee of one percent shall be charged on all taxes collected including taxes collected for other governmental agencies, and in addition after the first day of September, a penalty of three percent and interest at the rate of three-fourths of one percent per month shall be collected on all municipal taxes which shall be delinquent.

State law reference— Collection of taxes, MCL 211.44 et seq.

Sec. 9.5. Special assessments.

Whenever the council shall determine that the whole or any part of the expense of any public improvement shall be defrayed by an assessment on the owners of the land to be benefited thereby, it shall cause the expense of such improvement to be estimated and shall declare by an entry in its journal whether the whole or what portion thereof shall be assessed to such owners and occupants, specifying the sum to be assessed, the number of installments in which it may be paid, and the portion of the city which it deems to be benefited; provided, however, that the said number of installments shall not be spread over a period greater than ten years. The council shall cause the assessment of the sum to be assessed to be made upon all lands within the designated portion of the city according to benefit, which shall be measured, in case of all street improvements, by front footage. The assessment roll shall be open to public inspection for a period of seven days before the council shall meet to review the roll and hear complaints. The clerk shall give notice in advance by publication of the opening of the roll to public inspection and of the meeting of the council to hear complaints. The clerk shall also give notice to each owner or party in interest by mailing such notice in accordance with the provisions of the statutes in such case made and provided. If at or prior to the hearing 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 without unanimous vote of the council. Every special assessment ratified and confirmed by the council after such hearing shall be final and conclusive. Should any special assessment prove insufficient to pay for the improvement and related costs of the project for which it was levied, the council may make an additional pro-rata assessment. Should the assessment prove larger than necessary by less than five percent, the council may place the excess in the city treasury; if more than five percent, the excess shall be refunded pro-rata to payments. Special assessments and all interest and charges thereon shall from the date of confirmation of the roll be and remain a lien created by general law for state and county taxes, until paid. Interest at the rate of six percent per annum shall be collected on deferred installments and interest at the rate of three-fourths of one percent per month shall be collected on delinquent installments of such assessments from such date after confirmation as shall be fixed by the council, and in addition to such interest, a penalty of three percent shall be collected on any installment not paid within the time prescribed for its payment.

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CHAPTER 9. TAXATION

State law reference— Power re assessments, MCL 117.4a, 117.4b, 117.4d, 117.5; notices and hearings, MCL 211.741 et seq.; deferment for older persons, MCL 211.761 et seq.

Sec. 9.6. Unpaid taxes.

The city shall have the right to sell personal property for unpaid taxes and the council may provide for judicial sale of such property.

The council may provide by ordinance or resolution that the clerk or treasurer shall bid in for the city any lot of land or premises at any sale for taxes or assessments levied or assessed by the city.

The council may sell or lease in such manner and under such conditions as it may by resolution provide, any property of the city, whether acquired by purchase at the tax sales or otherwise, that is not devoted to public use.

Sec. 9.7. State, county and school taxes.

The levy, collection and return of state, county and school taxes shall be in conformity with the general laws of the state.

FOOTNOTE(S):

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State Law reference— General property tax act, MCL 211.1 et seq. [\(Back\)](#)

CHAPTER 10. BORROWING POWER ^[5]

[Sec. 10.1. Grant of authority to borrow.](#)

[Sec. 10.2. Issuance and sale of bonds; limits of borrowing powers.](#)

Sec. 10.1. Grant of authority to borrow.

Subject to the applicable provisions of state law and this charter, the council, by proper ordinance or resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidences of indebtedness therefor, and may pledge the full faith, credit, and resources of the city for the payment of the obligation created thereby. The council shall, subject to the applicable provisions of the general laws of the state, have authority to borrow money in anticipation of the payment of special assessments made for the purpose of defraying the cost of any public improvement, or in anticipation of the payment of any combination of special assessments, and to issue bonds therefor. Such special assessment bonds may be an obligation of the special assessment district or districts or may be both an obligation of the special assessment district or districts and a general obligation of the city. All collections on each special assessment roll or combination of rolls shall be set apart in a separate fund for the payment of the principal and interest of the bonds issued in anticipation of the payment of such special assessments, and shall be used for no other purpose.

When the city is authorized to acquire, own or operate any public utility, it may, in accordance with the provisions of Sections 23, 24 and 25 of Article VIII of the Michigan Constitution of 1908, issue mortgage bonds therefor beyond the general limit of bonded indebtedness prescribed by law in accordance with the provisions of the Michigan Constitution of 1908 pertaining thereto. Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which the same is issued and it shall be unlawful for any officer of the city to use the proceeds for any other purpose, except that whenever the proceeds of any bond issue, or any part thereof, shall remain unexpended and unencumbered for the purpose for which said bond issue was made, the council may, by affirmative vote of a majority of the members elect [elected], authorize the use of such unexpended or unencumbered funds for the retirement of such bond issue, or, if such bond issue shall have been fully retired or if any of such funds remain after such retirement, then for the retirement of other bonds or obligations of the city. All bonds and other evidence of indebtedness issued by the city shall be signed by the mayor and countersigned by the clerk under the seal of the city. Interest coupons may be executed with the facsimile signatures of the mayor and clerk. A complete and detailed record of all bonds and other evidences of indebtedness issued by the city shall be kept by the clerk. Upon payment of any bond or other evidence of indebtedness, the same shall be marked "Cancelled." Any officer who shall violate the provisions of this section shall be deemed guilty of misconduct in office.

Editor's note—

Article VII, § 24 of the Constitution of 1963 is comparable to Art. VIII, § 23 of the 1908 Constitution. Article VII, § 25 of the 1963 Constitution is comparable to Art. VIII, § 25 of the 1908 Constitution. Article VIII, § 24 of the 1908 Constitution is omitted from the 1963 Constitution.

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CHAPTER 10. BORROWING POWER

Sec. 10.2. Issuance and sale of bonds; limits of borrowing powers.

The issuance and sale of bonds and other obligations, the limit of bonded indebtedness of the city, and the limitation on borrowing in anticipation of taxes or on delinquent taxes shall be governed by state law, and the limit of taxation for municipal purposes shall be one and one-half (1½) per centum of the assessed value of all real and personal property in the city.

FOOTNOTE(S):

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State Law reference— Charter may provide for borrowing, MCL 117.4a. [\(Back\)](#)

CHAPTER 11. JUSTICE COURT ⁽⁶⁾

[Sec. 11.1. Establishment of court.](#)

[Sec. 11.2. Powers of the justice of the peace.](#)

[Sec. 11.3. Jurisdiction in charter and ordinance cases.](#)

[Sec. 11.4. Extended jurisdiction.](#)

[Sec. 11.5. Procedure in justice court.](#)

[Sec. 11.6. Place and conduct of court.](#)

[Sec. 11.7. Transfer of cases.](#)

[Sec. 11.8. Compensation of the justice.](#)

[Sec. 11.9. Fees, fines and penalties; prosecution of state penal cases.](#)

[Sec. 11.10. Docket.](#)

[Sec. 11.11. Violations bureau.](#)

Sec. 11.1. Establishment of court.

There is hereby established a justice court in the city presided over by a justice of the peace elected in accordance with the provisions of this charter.

Sec. 11.2. Powers of the justice of the peace.

The justice of the peace of the city shall have and exercise the same jurisdiction, powers and duties as are or may be conferred upon or required of justices of the peace in townships by statute and shall be subject to such general laws with respect to such justices, except as otherwise provided by this charter.

Sec. 11.3. Jurisdiction in charter and ordinance cases.

The justice of the peace shall have authority to hear, try and determine all suits and prosecutions for the recovery and enforcing of fines, penalties and forfeitures imposed by this charter and the ordinances of the city, and to punish offenders for the violation of such charter and ordinances as in the charter or ordinances prescribed and directed.

Sec. 11.4. Extended jurisdiction.

The justice of the peace shall also have:

- (a) Jurisdiction to the amount of \$500.00 in all civil matters ex contractu and ex delicto with such exceptions and restrictions as are provided by law.
- (b) Such power and authority as can, under Act No. 279 of the Public Acts of Michigan of 1909 (MCL 117.1 et seq., MSA 5.2071 et seq.), as amended, be conferred by this charter to set aside the verdict or judgment in any civil cause, and grant a new trial therein, to be exercised in such manner and on such conditions as provided in said act. The filing of a motion for new trial or to set aside a verdict or judgment shall have such an effect on the time for taking an appeal from

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CHAPTER 11. JUSTICE COURT

any judgment and upon the issuance and levy of execution or other similar process and sale thereunder and on other proceedings in said cause as provided in said act.

- (c) Such additional powers and authority as may now or hereafter be conferred upon city justices of the peace by statute.

Sec. 11.5. Procedure in justice court.

The proceedings in all suits and actions before the justice and in the exercise of the powers and duties conferred upon and required of him shall, except as otherwise provided in this charter, be according to and governed by the statutes applicable to justice courts and to the proceedings before such courts.

Sec. 11.6. Place and conduct of court.

The council shall furnish necessary supplies and a suitable place for conducting of court by the justice. It may regulate the hours of court of said justice and may make other necessary and proper rules and regulations for the conduct of the business of the court which are not inconsistent with this charter or the statutes.

Sec. 11.7. Transfer of cases.

In the case of absence, disability or disqualification of the justice, any other justice of the peace, or municipal judge who is qualified to act may act in the place of and for the justice in the performance of any of the duties imposed upon him by statute or this charter.

The council shall by ordinance fix the compensation to be paid any such justice or judge for such services and the procedure to be followed in calling upon him so to act. Unless the council shall so provide by ordinance, no such justice shall so act or be entitled to compensation therefor.

Sec. 11.8. Compensation of the justice.

The justice of the peace shall receive as his compensation the usual fees of this office provided by statute. The council may, however, by ordinance, whenever it deems that the best interests of the city will be served thereby, provide that the justice of the peace be paid an annual salary. Any salary provided shall be in lieu of all fees, costs and charges to which such justices would be entitled but for the provision of this section, except those for the performance of marriage ceremonies.

Sec. 11.9. Fees, fines and penalties; prosecution of state penal cases.

At such time as the council may fix an annual salary for the justice of the peace, all fees and all fines, penalties, forfeitures and monies collected or received by the court shall be paid over to the city treasurer on or before the first day of the next month after the collection or receipt thereof; and the court shall take the receipt of the treasurer therefor and file the same with the clerk. Failure of the presiding officer to comply with the foregoing provisions shall constitute misconduct in office.

If the justice be paid an annual salary, all fees and all fines, penalties and forfeitures and monies collected in city ordinance and charter cases shall be credited to the general fund of the city. All costs and fines recovered for the violations of the penal laws of the state shall be paid to the county treasurer as provided by statute.

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CHAPTER 11. JUSTICE COURT

The expenses of prosecution before the justice for violation of penal laws of the state, and in punishing the offender, shall be paid as provided by statute.

Sec. 11.10. Docket.

The justice of the peace shall keep, at the place of holding court, a docket in the manner required by statute. Failure to comply with the requirements of this section shall constitute misconduct in office.

Sec. 11.11. Violations bureau.

The council shall have power and authority to establish, by ordinance, a traffic violations bureau within the court for the handling only of violations of ordinance[s] and regulations of the city restricting the parking of vehicles. The creation of such a bureau by the council shall not operate so as to deprive any person of a full and impartial hearing in court should such person so choose.

FOOTNOTE(S):

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Editor's note— This chapter is obsolete. The justice court was abolished by MCL 600.9921, which created the district court system. [\(Back\)](#)

CHAPTER 12. SCHEDULE

[Sec. 12.1. Election on adoption of charter.](#)

[Sec. 12.2. Procedure governing election.](#)

[Sec. 12.3. Effective date of charter.](#)

[Sec. 12.4. Continuation of ordinances.](#)

Sec. 12.1. Election on adoption of charter.

This charter as revised by the Saline City Charter Revision Commission elected for this purpose by vote of the electors of the City of Saline, Washtenaw County, Michigan, on November 8, 1960, shall be submitted to a vote of the qualified and registered electors of the City of Saline, Washtenaw County, Michigan, at the Regular City Election to be held on November 6, 1962.

Sec. 12.2. Procedure governing election.

In all respects not otherwise provided for in [Chapter 3](#) of this charter, the election procedure shall be in accordance with the provisions of the other chapters of this charter.

Sec. 12.3. Effective date of charter.

For all purposes not otherwise provided for in this charter, this charter shall take effect on January 1, 1963, except as hereinafter stated: Whenever there is a variance in the qualifications of elective officers, the status of incumbent elective officers shall not be affected by this charter.

Sec. 12.4. Continuation of ordinances.

All ordinances in effect prior to the effective date of this charter shall continue in full force and effect after said effective date, except to the extent that the provisions thereof are in conflict with the provisions of this charter.

Resolution of the Adoption of the Revised Charter of the City of Saline, Washtenaw County, State of Michigan

At a regularly called meeting of the Charter Revision Commission of the City of Saline, Washtenaw County, Michigan, held on the 11th day of July, 1962, at 8:00 o'clock p.m. of said day, the following action was taken:

It was moved by Commissioner Walter MacArthur, Sr., and supported by Commissioner Elmer Houghton that the following resolution be adopted:

RESOLVED: That the Charter Revision Commission of the City of Saline, Washtenaw County, Michigan, does hereby adopt the foregoing proposed Charter, as revised, for the City of Saline, and the Secretary of the Charter Revision Commission be and hereby is directed to transmit a copy of this Charter to the Governor of the State of Michigan for his approval in accordance with statute, and to file with the City Clerk a copy of this Charter on July 16, 1962, and to cause this proposed revised Charter to be published in The Saline Reporter on the 3rd and/or 10th day of October, 1962, when so approved.

Carried by the following votes:

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Ayes—7

Nays—0

Absent—2

Commissioners:

Don Ford

Elmer Houghton

Esther Landwehr

Bessie Collins

Alwin Gross

Walter MacArthur

Erwin Schmid

Absent:

Robert Estes

Francis Lockwood

The Chairman of the Charter Commission declared the Resolution adopted and requested the members of the Charter Commission to authenticate said resolution and also the copies of the Charter to be presented to the Governor of the State of Michigan and filed with the City Clerk by affixing their signatures thereto:

Signatures affixed:

Don M. Ford—Chairman

Elmer Houghton—Vice Chairman

Esther Landwehr—Secretary

Bessie Collins—Commissioner

Robert Estes—Commissioner

Alwin Gross—Commissioner

Francis Lockwood—Commissioner

Walter V. MacArthur, Sr.—Commissioner

Erwin Schmid—Commissioner

Commissioners absent from the meeting indicated their approval of the adoption of this Revised Charter by affixing their signatures as above indicated.

Approved as Amended by the Saline City Charter Revision Committee at a special meeting held August 16, 1962.

PART I - CHARTER

CHAPTER 12. SCHEDULE

	<p>(Signed) John B. Swainson Governor of Michigan.</p>
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September 7, 1962.