

## **A message from the Chairman of the Dearborn Charter Commission**

The Dearborn City Charter acts as the constitution for the city and outlines the powers and responsibilities of the Dearborn City Government.

To ensure this vital document remains current and compliant with State law, the existing Charter requires the City Council to place a question on a ballot every 12 years - asking Dearborn voters whether they agree to commence a review process and elect 9 individuals to serve on the Charter Commission. In August 2021, voters approved Proposal A, initiating the election of a Charter Commission. In November 2021, 9 individuals were elected to the Dearborn Charter Commission, who then began the Charter review process. The members of the Commission include: Chairman, Hassan F. Abdallah, Vice Chair Sharon Dulmage, Dr. Cheryl Hawkins, Hussein Hachem, Tim Harrison, Glenn O'Kray, James O'Connor, Laura Dudgeon and Kimberly Ismail.

That review process has completed, and the Charter Commission has received approval of the Charter by Governor Gretchen Whitmer and received approval from the Michigan Attorney General ensuring that the revised Charter is compliant and consistent with the Home Rule City Act, 1909 PA 279, MCL 117.1 *et seq.* On August 6, 2024 Dearborn voters will go to the polls and vote on whether or not they will adopt the proposed revised Charter.

This summary document has been prepared by the Dearborn Charter Commission to highlight the updates to the Charter, and explain why they are important for our communities. Specifically, it provides you with:

- The new and improved language determined by the commission;
- The old language for context of where we started;
- A narrative explanation of the relevant significant changes and what they mean;
- Links to commission meetings so you can see the discussion for yourself; and
- Relevant state laws that apply to the section.

On behalf of the Dearborn Charter Commission, I want to thank you for entrusting us with the governance of this process. I am confident in the process that was followed and the product of the work completed over the last two and a half years. **With that, I am humbly requesting for your vote in support of approving the proposed City Charter in the August 6th, 2024 Primary Election.**

It has been a great honor to serve the City we call home. Thank you for your consideration.

**Hassan F. Abdallah**  
**Chairman | Dearborn Charter Commission**

**TABLE OF CONTENTS**

**PREAMBLE..... 1**  
**CHAPTER 1. NAME, BOUNDARIES AND POLITICAL SUBDIVISIONS OF THE CITY ..... 2**  
**CHAPTER 2. DECLARATION OF RIGHTS..... 3**  
**CHAPTER 3. STANDARDS OF CONDUCT ..... 5**  
**CHAPTER 4. GENERAL MUNICIPAL POWERS ..... 14**  
**CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY ..... 16**  
**CHAPTER 6. THE LEGISLATIVE DEPARTMENT ..... 24**  
**CHAPTER 7. POWERS OF THE COUNCIL ..... 28**  
**CHAPTER 8. CITY LEGISLATION ..... 31**  
**CHAPTER 9. THE EXECUTIVE DEPARTMENT ..... 37**  
**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION..... 50**  
**CHAPTER 11. ELECTIONS..... 61**  
**CHAPTER 12. FINANCE AND TAXATION. .... 63**  
**CHAPTER 13. PUBLIC IMPROVEMENTS..... 69**  
**CHAPTER 14. SPECIAL ASSESSMENTS..... 70**  
**CHAPTER 15. BONDS..... 74**  
**CHAPTER 16. RETIREMENT PLANS..... 76**  
**CHAPTER 17. CITY LIABILITY..... 88**  
**CHAPTER 18. MISCELLANEOUS AND TRANSITION..... 89**  
**CHAPTER 19. SCHEDULE..... 93**  
**Appendix..... 95**

## PREAMBLE

### What is this chapter?

The preamble establishes the tone of the document and sets the intention for its contents.

### What changed?

Just proofreading! Upon review of this section, the Charter Commission recognized that the values of humanity and democracy represent the strong shared values of our communities.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. The Preamble was discussed on:

- August 8, 2023

### What state laws apply here?

The State of Michigan sets legal requirements for city charters, but not every charter section has a relevant state law reference. Because the preamble is aspirational, there are no state law references in this section.

*** 2023 Update ***	2007 Content
<p><b>Preamble.</b></p> <p>We, the people of the City of Dearborn, in order to provide a government which recognizes that human life and talent <b>is are</b> our most important resources, and the development and enrichment of these our most important task, do adopt this <b>Charter</b>. We acknowledge that political power is inherent in the people. We desire a framework of government in which all people can participate, by which policy objectives reflecting the people's goals can be fashioned and through which officials can be chosen in a democratic manner and held accountable for their actions.</p>	<p><b>Preamble.</b></p> <p>We, the people of the City of Dearborn, in order to provide a government which recognizes that human life and talent is our most important resource, and the development and enrichment of these our most important task, do adopt this charter. We acknowledge that political power is inherent in the people. We desire a framework of government in which all people can participate, by which policy objectives reflecting the people's goals can be fashioned and through which officials can be chosen in a democratic manner and held accountable for their actions.</p>

# CHAPTER 1. NAME, BOUNDARIES AND POLITICAL SUBDIVISIONS OF THE CITY

## What is this chapter?

Chapter 1 defines the City itself, and what we mean when we talk about the City of Dearborn.

## What changed?

Just proofreading! Upon review of this section, the Charter Commission recognized that our city is made strong by our unity and connectivity.

## Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 1 was discussed on:

- June 22, 2022 ; July 6, 2022 ; August 10, 2022 ; June 7, 2023.

## What state laws apply to these sections?

The State of Michigan sets legal requirements for city charters. The state laws relevant to Chapter 1 are:

- **Section 1.2. Boundaries** state law references: Incorporation, consolidation of territory and alteration of boundaries of home rule cities, MCL 117.61 et seq., MSA 5.2085 et seq.
- **Section 1.3 Political Subdivisions** state law references: Mandatory that Charter provide for one or more wards, MCL 117.3(e), MSA 5.2073(e); election precincts, MCL 168.654 et seq., MSA 6.1654 et seq.

*** 2023 Update ***	2007 Content
<b>SECTION 1.1. Name.</b> The official name of the City governed by this Charter shall be the City of Dearborn.	<b>SECTION 1.1. - Name.</b> The official name of the City governed by this charter shall be the City of Dearborn.
<b>SECTION 1.2. Boundaries.</b> The boundaries of the City existing when this Charter takes effect shall continue in force until changed in accordance with law.	<b>SECTION 1.2. - Boundaries.</b> The boundaries of the City existing when this charter takes effect shall continue in force until changed in accordance with law.
<b>SECTION 1.3. Political Subdivisions.</b>	

The City shall consist of one ward and such election precincts as are established in accordance with law.

## CHAPTER 2. DECLARATION OF RIGHTS

### **What is this chapter?**

Chapter 2 defines the rights of the people that the City of Dearborn serves and sets a baseline of rights that the City will protect.

### **What changed?**

Stronger protections! This chapter now ensures equality in all City operations, and strengthens language around environmental protections.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 2 was discussed on:

- December 1, 2021 ; September 7, 2022

### **What state laws apply to these sections?**

The State of Michigan sets legal requirements for City Charters. The state laws relevant to Chapter 2 are:

- **Section 2.1 Declaration of Rights.** State law references: Freedom of Information Act, MCL 15.243 et seq.; Open Meetings Act, MCL 15.261 et seq.; Home Rule Cities Act, MCL 117.3(l).

**CHAPTER 2. DECLARATION OF RIGHTS**

*** 2023 Update ***	2007 Content
<p><b>SECTION 2.1. Declaration of Rights.</b></p> <p>City government shall serve the people of Dearborn. The City shall provide for the public peace and health and for the safety of persons and property.</p> <p><b>The people have the right to expect all persons to be treated equally in all City operations.</b></p> <p>The people have the right to expect the dedicated and efficient performance of duties by all officers, <del>and</del> employees, <del>and</del> volunteers.</p> <p>The people have the right to expect that the quality of the services rendered by the City will be protected, maintained, and improved within the capabilities of the City's human and capital resources.</p> <p>The business of the legislative body shall be conducted at a public meeting held in compliance with the Open Meetings Act. All records of the City shall be made available to the general public in compliance with the Freedom of Information Act.</p> <p><b>The people have the right to expect the City to protect, maintain, and improve the quality of the sustainable environment (air, water and land).</b></p> <p><del>The protection, maintenance and improvement of the quality of the environment of the City shall be a goal of paramount concern to the government of the City.</del></p>	<p><b>SECTION 2.1. - Declaration of rights.</b></p> <p>City government shall serve the people of Dearborn. The City shall provide for the public peace and health and for the safety of persons and property.</p> <p>The people have the right to expect the dedicated and efficient performance of duties by all officers and employees.</p> <p>The people have the right to expect that the quality of the services rendered by the City will be protected, maintained and improved within the capabilities of the City's human and capital resources.</p> <p>The business of the legislative body shall be conducted at a public meeting held in compliance with the Open Meetings Act. All records of the City shall be made available to the general public in compliance with the Freedom of Information Act.</p> <p>The protection, maintenance and improvement of the quality of the environment of the City shall be a goal of paramount concern to the government of the City.</p> <p>The enumeration of the foregoing rights shall not be construed to deny or diminish other rights</p>

The enumeration of the foregoing rights shall not be construed to deny or diminish other rights retained by the people.

retained by the people.

## CHAPTER 3. STANDARDS OF CONDUCT

### What is this chapter?

Chapter 3 deals with standards of how individuals working and volunteering for the City should conduct themselves. Sections 3.1 and 3.2 detail how individuals can manage situations that their personal interests come up against the best interests of the City. Section 3.4 establishes a Board of Ethics that is responsible for making sure these standards are followed.

### What changed?

- Clearer expectations! Section 3.2 has been updated to clarify the requirement that conflicts of interest should be reported to the City Board of Ethics.
- Improved structure! The structure of the Board of Ethics has been amended to ensure that it is more independent of the offices it is intended to oversee.
- Stronger protections! Sections 3.5 and 3.6 create protections against City resources being used for political gain.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 3 was discussed on:

- January 5, 2022 ; September 7, 2022 ; October 19, 2022 ; April 5, 2023

### What state laws apply to these sections?

The State of Michigan sets legal requirements for City Charters. The state laws relevant to sections 3.1 and 3.2 are:

- **Section 3.1 Conflict of Interest.** State law references: Standards of conduct and ethics, MCL 15.341 et seq., MSA 4.1700(71) et seq.
- **Section 3.2 Conflict Involving Financial Interest.** State law references: Conflicts of interest as to contracts, MCL 15.321 et seq., MSA 4.1700(51) et seq.
- **Section 3.5 Political Activity.** State law references: Political activities by public officers and employees, MCL 15.405 et seq., MSA 4.1702(1) et seq.

**CHAPTER 3. STANDARDS OF CONDUCT**

*** 2023 Update ***	2007 Content
<p><b>SECTION 3.1. Conflict of Interest.</b></p> <p>Except for public contracts governed by MCL 15.321 et seq., an officer or employee who has a conflict between a personal interest and the public interest shall fully disclose in writing to the Board of Ethics the nature of the conflict. Except as provided by law, no officer or employee of the City may participate in, act upon or vote upon any matter if a conflict exists.</p>	
<p><b>SECTION 3.2. Conflict Involving Financial Interest.</b></p> <p>Except for public contracts governed by MCL 15.321 et seq., an officer or employee who has a substantial financial interest, direct or indirect, in any corporation or business association doing business with the City shall make that interest known, <b>disclose the conflict in alignment with the procedures of the Board of Ethics</b>, and shall refrain from voting upon or otherwise participating in transacting any business with such corporation or business association. A substantial financial interest of an officer or employee shall include any known substantial financial interest, direct or indirect, of the officer's or employee's spouse, or parent, grandparent, child, grandchild, brother or sister or the spouse of any of them. Violation of this section with the knowledge of the person doing business with the City shall render the business transaction voidable by the Mayor or the Council.</p>	<p><b>SECTION 3.2. - Conflict involving financial interest.</b></p> <p>Except for public contracts governed by MCL 15.321 et seq., an officer or employee who has a substantial financial interest, direct or indirect, in any corporation or business association doing business with the City shall make that interest known and shall refrain from voting upon or otherwise participating in transacting any business with such corporation or business association. A substantial financial interest of an officer or employee shall include any known substantial financial interest, direct or indirect, of the officer's or employee's spouse, or parent, grandparent, child, grandchild, brother or sister or the spouse of any of them. Violation of this section with the knowledge of the person doing business with the City shall render the business transaction voidable by the Mayor or the Council.</p>
<p><b>Section 3.3. Anti-Nepotism.</b></p> <p>No person shall hold an appointive office or employment in which that person would work under the immediate supervision or control of a spouse or a parent, grandparent, child, grandchild, brother or sister or the spouse of any of them. This section shall in no way disqualify such relatives or their spouses who are officers or employees of the City at the time of the election or appointment of said official.</p>	



**CHAPTER 3. STANDARDS OF CONDUCT**

*** 2023 Update ***	2007 Content
<p><del><b>Section 3.4. – Board of ethics.</b></del></p> <p><del>A Board of Ethics is created consisting of the Corporation Counsel and the Human Resources Administrator, either of whom may serve by deputy, and five private persons appointed by the Mayor and confirmed by the Council. Members of the Board shall serve without compensation.</del></p> <p><del>The primary function of the Board of Ethics is to render advisory opinions to officers and employees and conduct investigations with respect to the meaning and application of provisions of the Charter and ordinances establishing standards of conduct for the City service. The Board shall establish procedure to register an inquiry. During the course of an investigation, the identity of persons concerned shall not be disclosed unless such disclosure is required by law. The Board may authorize the issuance of subpoenas through the Office of Corporation Counsel for documents and witnesses but only after a written request to appear or provide documents has not been complied with. Advisory opinions shall be rendered upon written request by an officer or employee and shall be published by the Board.</del></p> <p><del>The Board of Ethics may recommend improvement in the standards of conduct for the City service or in the organization and procedures related to the administration and enforcement of those standards.</del></p>	<p><b>Section 3.4. - Board of ethics.</b></p> <p>A Board of Ethics is created consisting of the Corporation Counsel and the Human Resources Administrator, either of whom may serve by deputy, and five private persons appointed by the Mayor and confirmed by the Council. Members of the Board shall serve without compensation.</p> <p>The primary function of the Board of Ethics is to render advisory opinions to officers and employees and conduct investigations with respect to the meaning and application of provisions of the Charter and ordinances establishing standards of conduct for the City service. The Board shall establish procedure to register an inquiry. During the course of an investigation, the identity of persons concerned shall not be disclosed unless such disclosure is required by law. The Board may authorize the issuance of subpoenas through the Office of Corporation Counsel for documents and witnesses but only after a written request to appear or provide documents has not been complied with. Advisory opinions shall be rendered upon written request by an officer or employee and shall be published by the Board.</p> <p>The Board of Ethics may recommend improvement in the standards of conduct for the City service or in the organization and procedures related to the administration and enforcement of those standards.</p>

Section 3.4 has been fully overhauled. See the next pages for the full text.

(This may be a good spot for the extended explanation of why the BoE was changed and why these changes are important to voters)

**\*\*\* 2023 Update \*\*\***

**Section 3.4. Board of Ethics.**

**A) Establishment of the Board of Ethics.**

The people of this City recognize that the continuation of the proper operation of the City requires that public officers and employees be independent, impartial and responsible to the people; that decisions and policy be made in the proper channels of governmental structure; that members of the public have access to information upon which decisions affecting their City are made; that public office and employment not be used for personal gain; that the integrity and operation of City government to be subject to scrutiny of the public; and that acts or actions not compatible with the best interests of the City be defined and prohibited.

In order to provide an orderly procedure for consideration and review of the issues which may arise concerning questions of standards of conduct for public officers and employees, a Board of Ethics shall be created.

The City Council shall, by ordinance, establish an independent board of ethics consisting of five members to administer and enforce the ethics and financial disclosure ordinances of the City. No member of the Board may be an employee of the City, or hold elective or appointed office under the City or any other government or hold any political party office.

Insofar as possible under state law, the City Council shall authorize the board to issue both binding and advisory opinions, conduct investigations on its own initiative and on referral or via complaint or inquiry from City Officers, employees or a resident, subpoena witnesses and documents, refer cases for prosecution, impose administrative fines, and to hire independent counsel.

The City Council shall appropriate sufficient funds to the Board of Ethics to enable it to perform the duties assigned to it and to provide annual training and education of City officials, officers and employees, including candidates for public office, regarding the ethics code.

**Section 3.4. Board of Ethics. (continued)**

**B) Membership**

The Board of Ethics shall consist of five members; two members shall be appointed by the City Council, two members shall be appointed by the Mayor and the fifth member being appointed by recommendation by any one of the four appointed members that is approved by a majority vote of the members appointed by City Council and the Mayor. The City Clerk (or his or her designee) shall serve as Recording Secretary to the Board and provide such administrative services to the Board as may be necessary.

Of the members appointed to the initial Board, the Mayor and the City Council shall each appoint members for a four-year term. A member shall hold office until a member's successor is appointed.

An appointment to fill a vacancy shall be made by the Mayor to fill a vacant Mayoral-appointed member position and by the City Council to fill a vacant Council-appointed member position. An appointment to fill a vacancy of the Board appointed member position shall be filled by appointment confirmed by majority vote of the existing members. Persons serving as members of the Board of Ethics on the effective date of this section shall continue to serve as members until the expiration of their original terms.

Members of the Board of Ethics shall be residents of the City for at least one year and shall hold no elected public office and no other City office or employment (i.e., independent contractor).

The Board must adopt its own rules governing its procedure and the holdings of regular meetings. The Board shall select its own Chairperson and Vice Chairperson from among its members.

If any issue before the Board involves any member of the Board or their immediate family members, such member may not participate in Board deliberations pertaining to the member's issue nor shall such involved member be eligible to vote on any actions concerning the issue.

All City employees, Officers and elected or appointed officials of the City must cooperate with any investigations or inquiries by the Board; such cooperation must include the compilation and production of any information requested by the Board during an investigation unless the information requested is exempt from disclosure under the applicable State law.

If any issue before the Board involves the Office of the City Attorney, the Board may engage the services of outside counsel upon terms and arrangements approved by the City Council.

**Section 3.4. Board of Ethics. (continued)**

C) Duties

At the request or submitted inquiry of a City Officer, appointee or resident, the Board of Ethics may render an informal opinion with respect to the prospective conduct relevant to the inquiry. All written opinions (formal or informal) of the Board of Ethics shall be filed with the City Clerk and are open to public inspection. Written informal opinions shall be drafted in such a way as not to reveal information exempt from public disclosure under the applicable State law.

The Board of Ethics, on its own initiative or upon request, may render and publish a formal and binding opinion on any matter within the scope of the Board's authority which it may deem appropriate.

The Board of Ethics does not have the authority to reverse or modify a prior action of the Mayor, City Council or an officer or employee of the City. If the Board finds a prior action of the Mayor, Council, officer or employee to have been ethically improper, the Board shall advise the appropriate party or parties that the action should be reconsidered. Upon such advice by the Board, the action shall be reconsidered by the appropriate person or public body. If the Board determines an existing action by the Mayor, City Council, Officer or employee of the City to be ethically improper, then, after such determination and advice from the Board, the City may void or seek termination of the contract if legally permissible. The Board may refer a matter to the the City's Corporation Counsel for review and consideration for appropriate action. Upon completion of review and consideration, the City Attorney shall report his or her findings to the Board and the City Council.

The Board of Ethics may recommend to the City Council standards of conduct for officers and employees of the City and changes in the procedures related to the administration and enforcement of those standards.

The Board of Ethics shall review, at least annually, any documents required to be filed under ordinances adopted by the City for the purpose of establishing standards of conduct for officers and employees and any further ordinances related to ethics and financial disclosures.

The Board, when it deems it appropriate, may request the City Attorney's Office for assistance in compelling the production of documents and witnesses to assist the Board in the conduct of any investigation.

Within one year from the effective date of this section the City shall provide an ethics manual for the use of all City officers and employees. Such manual shall first be

approved by the Board of Ethics before distribution. Each City officer and employee shall acknowledge receipt of said manual (either in person or electronically).

Proceedings before the Board are subject to the applicable State law regarding the conduct of public meetings. Records of the Board shall be filed with the City Clerk and are available for public review as required by State law.

**\*\*\* 2023 Update \*\*\***

**Section 3.4. Board of Ethics. (continued)**

**D) Protection of the Public Interest.**

The City shall adopt, by ordinance, such standards for the conduct of public affairs as may be deemed necessary to protect the public, including the ordinances referred to in this section.

The City shall adopt, by ordinance, no later than one year after the effective date of this section, restrictions similar to those enacted by the State of Michigan by statute, prescribing standards of conduct for City officers and employees. To the extent permitted by law, the ordinances shall generally include, but not be limited to, prohibiting the use of City office or employment for the private benefit of any person; prohibiting the divulging of confidential information in advance of the time prescribed for its authorized release to the public; prohibiting the use of City personnel resources for private gain; prohibiting profit from an official position and acceptance of things of value by City officers or employees; requiring the financial disclosure by City officers and employees and requiring lobbyist disclosure for all City officers and employees.

Any violations of ordinances dealing with matters in this section shall be punishable to the maximum extent permitted by law and may be made punishable by forfeiture of office or position.

(Another good spot for rationale/explanations)

**Section 3.4. Board of Ethics. (continued)**

E) Conflict of Interest.

At least ten (10) days prior to the first of any of the events set forth in subsections (A) through (E) below, a City officer, employee, or their immediate family member who may derive any income or benefit, directly or indirectly, from a contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- a) The bidding of the contract; and
- b) The negotiation of the contract; and
- c) The solicitation of the contract; and
- d) The entry into the contract; and
- e) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing.

In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

An officer or employee who has any other conflict between a personal interest and the public interest as defined by State law, this Charter, or ordinance, shall fully disclose to the City Attorney the nature of the conflict.

Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.

The language of this section shall not be construed as placing restrictions on the Chief Labor Negotiator's ability to carry out their official duties as provided in this Charter.

## CHAPTER 3. STANDARDS OF CONDUCT

*** 2023 Update ***	2007 Content
<p><b>Section 3.5. - Political Activity.</b></p> <p>An officer or employee may not personally, or through an agent, command, coerce or attempt to coerce any person holding a position in the classified service of the City to pay, lend or contribute anything of value to a party, committee, organization, agency or person for the benefit of a person seeking or holding elected office or for the purpose of furthering or defeating a proposed law, ballot question or other measure that may be submitted to a vote of the electors.</p> <p>While on duty, no political activity shall occur during working hours by appointive officers or employees.</p>	
<p><b>Section 3.6. Private Use of City Property.</b></p> <p>No officer or employee of the City shall devote any City property or labor for their own personal or political benefit or for the personal or political benefit of others.</p>	

## CHAPTER 4. GENERAL MUNICIPAL POWERS

### **What is this chapter?**

Chapter 4 ...

### **What changed?**

More clarity!

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. The new Chapter 4 was discussed on:

- January 5, 2022 ; July 26, 2023

### **What state laws apply to these sections?**

The State of Michigan sets legal requirements for City Charters. The state laws relevant to Chapter 4 are:

- **Section 4.2 Powers of the City.** State law references: 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), MSA 5.2083(3).



**CHAPTER 4. GENERAL MUNICIPAL POWERS**

*** 2023 Update ***	2007 Content
<p><b>Section 4.1 Purpose</b></p> <p>It is the purpose of this chapter to permit the City to make the most efficient use of their powers by enabling them to cooperate with other municipalities and counties on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of its community.</p>	<p>(No equivalent section in 2007 Charter)</p>
<p><b>Section 4.2 Powers of the City.</b></p> <p>The City and its officers shall have all of the powers and immunities permitted by law unless a power or immunity is specifically denied them by this Charter. These powers may only be exercised to promote the public peace and health and for the safety of persons and property and to advance the interests of good government and the prosperity of the City and its people.</p>	<p><b>Section 5.1 Powers of the City.</b></p> <p>The City and its officers shall have all of the powers and immunities permitted by law unless a power or immunity is specifically denied them by this charter. These powers may only be exercised to promote the public peace and health and for the safety of persons and property and to advance the interests of good government and the prosperity of the City and its people.</p>
<p><b>4.3 Construction.</b></p> <p>The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power granted in this article.</p>	<p>(No equivalent section in 2007 Charter)</p>
<p><b>4.4 Intergovernmental Relations.</b></p> <p>The City may participate by contract or otherwise with any governmental entity of this State or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.</p>	<p>(No equivalent section in 2007 Charter)</p>

## CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY

### What is this chapter?

Chapter 5 ...

### What changed?

- Sections 5.1, 5.2, 5.3, and 5.16 were amended to ensure alignment and compliance with state law.
- Section 5.9 was updated to avoid overturned results from non-certified elections or recounts.
- Section 5.11 was broadened to include any person that may take temporary control of a city document, for any reason, is required to return to the City to prevent records from being lost and incomplete.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 5 was discussed on:

- January 26, 2022 ; February 9, 2022 ; June 7, 2023

### What state laws apply to these sections?

The State of Michigan sets legal requirements for City Charters. The state laws relevant to these sections are:

- **Section 5.1 Elective Officers.** State law references: Mandatory that Charter provide for election of certain officers, MCL 117.3(a), MSA 5.2073(a).
- **Section 5.2 Qualifications of elective officers.** State law references: Mandatory that Charter provide for qualifications of officers, MCL 117.3(d), MSA 5.2073(d), Michigan State Constitution, Article XI § 8, Constitution of Michigan of 1963, History add. S.J.R., V, approved Nov. 2, 2019, Eff. Dec. 18, 2021.
- **Section 5.3 Time of election and terms of office.** State law references: Time for regular elections, MCL 168.644a, MSA 6.1644(1).
- **Section 5.6 Compensation of officers and employees.** State law references: Mandatory that Charter provide for compensation of its officers, MCL 117.3(d), MSA 5.2073(d).
- **Section 5.9 Oath of office.** State law references: Oath of public officers, Mich. Const. 1963, Art. XI, § 1.
- **Section 5.16 Residency.** MCL 15.602, (s)2.2.

**CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY**

*** 2023 Update ***	2007 Content
<p><b>Section 5.1 Elective Officers</b></p> <p>Elective officers of the City shall be a mayor, clerk, and seven councilmembers elected from the City at large.</p>	
<p><b>Section 5.2. Qualifications of elective officers.</b></p> <p>No person shall become a candidate or hold elective office under this charter unless that person is a resident of the City of Dearborn for one year, <del>and is a registered voter with the city</del> a registered voter, and within the immediately preceding 20 years, the person was never convicted of a felony involving dishonesty, deceit, fraud, or a breach of the public trust and the conviction was related to the person’s official capacity while the person was holding any elective office or position of employment in local, state, or federal government. This requirement is in addition to any other qualification required under this Charter or by law.</p>	<p><b>Section 6.2. - Qualifications of elective officers.</b></p> <p>No person shall become a candidate or hold elective office under this charter unless that person is a resident for one year, has never been convicted of a felony and is a registered voter of the City.</p>
<p><b>5.3 Time of Election and Terms of Office.</b></p> <p>Elective officers of the City shall be elected on the first Tuesday following the first Monday of November 2009 and every fourth year thereafter on that date, for a term commencing at twelve noon on January first of the year immediately following the election and extending for a period of four years thereafter.</p>	<p><b>6.3 - Time of election and terms of office.</b></p> <p>Elective officers of the City shall be elected on the first Tuesday following the first Monday of November 2009 and every fourth year thereafter on that date, for a term commencing at twelve noon on January first of the year immediately following the election and extending for a period of four years thereafter.</p>



## CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY

*** 2023 Update ***	2007 Content
<p><b>Section 5.4. Vacancies in Elective Office. (Formerly section 6.4)</b></p> <p>If a vacancy occurs in the office of the Mayor and the unexpired term is less than one year, the President of the Council will temporarily fill the vacancy as Mayor and if that person declines to do so then the Council President Pro Tem may fill the vacancy. If both the Council President and the Council President Pro Tem decline to fill the vacancy, then it may be filled by the councilmember receiving the highest number of votes in the preceding election who will accept the position. If no councilmember will accept the position, then the vacancy will be filled by the Chief of Staff if approved by the Council. If the Chief of Staff is not approved, the Council shall appoint some other qualified individual to fill the vacancy for the unexpired term. A vacancy on the Council shall not be created by any councilmember serving temporarily as Mayor hereunder.</p> <p>If a vacancy occurs in the office of Mayor and the unexpired term is one year or more, the Council President shall serve as Mayor until an election to fill the unexpired term of office shall be held within one hundred twenty (120) days, but no sooner than ninety (90) days of the occurrence of the vacancy or as soon thereafter as permitted by state election laws. If another election is to be held in the City within ninety days of the date of the election called by the Council, the election shall be held over until such other election. There shall be no primary election. The candidates shall be nominated by petitions signed by not less than 100 or more than 200 registered electors. The petitions must be filed at the City Clerk's office 70 days prior to the election. A vacancy on the Council shall not be created any councilmember serving temporarily as Mayor hereunder.</p> <p>If a vacancy occurs in the office of Clerk, the deputy shall serve as the Clerk for the remainder of the unexpired term. If there is no such person, the Council shall appoint some other qualified individual to fill the vacancy for the unexpired term.</p> <p>If a vacancy occurs on the Council then the candidate not elected receiving the highest number of votes for the office of councilmember in the preceding election who is qualified and will accept the position shall be appointed to fill the vacancy. Each successive vacancy that occurs on the Council shall be filled in the same manner. If there is no such person, the Council shall appoint some other qualified individual to fill the vacancy for the unexpired term.</p>	
<p><b>Section 5.5. Appointive Officers. (Formerly section 6.5)</b></p> <p>Appointive officers shall be the Treasurer, Assessor, Corporation Counsel, Chief of Staff, Chief Labor Negotiator, Police Chief, Fire Chief, and the directors of departments and the members of multi-member bodies.</p>	

## CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY

*** 2023 Update ***	2007 Content
<p data-bbox="203 394 1274 426"><b>Section 5.6. Compensation of Officers and Employees. (Formerly section 6.6)</b></p> <p data-bbox="203 464 1421 594">The Council shall fix the compensation of appointive offices prior to appointments to the office. The persons so appointed shall receive only one salary which shall, together with such other remuneration as specified in the resolution of the Council, be in full compensation for the appointees' services to the City and shall not receive any other compensation from the City.</p> <p data-bbox="203 632 1421 726">Any elective or appointive officer of the City who receives payment of any kind, other than that specified in this charter, for services rendered in the performance of official duties shall immediately surrender such payment to the general fund of the City.</p> <p data-bbox="203 764 1421 926">There is hereby created a Local Officials Compensation Commission who shall determine the compensation of elective officials based upon standard compensation principles and procedures. The meetings, membership, terms and manner of filling vacancies of the Local Officials Compensation Commission shall be as provided in Public Act No. 8 of the Michigan Public Acts of 1972 as amended by MCL 117.5c.</p> <p data-bbox="203 963 1421 1125">The determination of the commission, with respect to the compensation of the Councilmembers, shall be voted upon within <b>thirty (30)</b> days following its filing with the City Clerk and shall be effective when approved by a 2/3 majority vote of the members elected to and serving on the City Council. If the determination is rejected, the current compensation shall continue.</p> <p data-bbox="203 1163 1421 1325">Any change in compensation for the Mayor will go into effect when the recommendation of the Local Officials Compensation Commission is affirmed within <b>thirty (30)</b> days to the Human Resources <del>Director Administrator</del> by the Mayor. Any change in compensation for the Clerk will go into effect when the recommendation of the Local Officials Compensation Commission is affirmed within 30 days to the Human Resources <del>Director Administrator</del> by the Clerk.</p> <p data-bbox="203 1362 1421 1457">The compensation of other employees shall be as provided in the applicable collective bargaining agreement. If there is not a collective bargaining agreement, compensation shall be as determined by the City Council.</p>	
<p data-bbox="203 1497 1258 1528"><b>Section 5.7. Reimbursement of Authorized Expenses. (Formerly section 6.7)</b></p> <p data-bbox="203 1566 1421 1623">The Council shall establish conditions for authorizing travel and expenses of officers and employees of the City.</p>	
<p data-bbox="203 1661 1047 1692"><b>Section 5.8. Change in Compensation. (Formerly section 6.8)</b></p> <p data-bbox="203 1730 1421 1892">The compensation for appointive offices shall not be increased or decreased during the term of office to which each officer was appointed. Such compensation may include an annual adjustment to salary equal to the average percentage of increases or decreases in salary paid to all full-time employees of the City and adjustments to benefit programs as received by all full-time employees of the City.</p>	



**CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY**

*** 2023 Update ***	2007 Content
<p><b>Section 5.9. Oath of Office.</b></p> <p>An elective or appointive officer shall not take office or perform the duties of office until the following oath of office has been taken:</p> <p>"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state and that I will faithfully discharge the duties of the office of _____ according to the best of my ability."</p> <p><b>For an elected officer, failure to take the oath of office within ten (10) business days after the certification of the election <del>or appointment</del> and before January 1st, unless the time shall be extended by the Council, shall result in a vacancy in the office to which the officer was <del>appointed or</del> elected. For an appointed officer, failure to take the oath of office within ten business days after appointment, unless the time shall be extended by the Council, shall result in a vacancy in the office to which the officer was appointed.</b> An elective or appointive officer must support and uphold the Charter of the City of Dearborn.</p>	<p><b>Section 6.9. - Oath of office.</b></p> <p>An elective or appointive officer shall not take office or perform the duties of office until the following oath of office has been taken:</p> <p>"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state and that I will faithfully discharge the duties of the office of _____ according to the best of my ability."</p> <p>Failure to take the oath of office within ten days after election or appointment, unless the time shall be extended by the Council, shall result in a vacancy in the office to which the officer was appointed or elected. An elective or appointive officer must support and uphold the Charter of the City of Dearborn.</p>
<p><b>Section 5.10. Bonds of Officers and Employees.</b></p> <p>Elective and appointive officers shall be bonded in accordance with law, and in a manner acceptable to the Council after consultation with the Corporation Counsel. The Treasurer and any employee handling funds of the City in the regular course of business shall be bonded in accordance with law. The Council shall be empowered to set further conditions for bonding of officers and employees, and shall review such conditions at least once every four years. Bond premiums shall be paid by the City.</p>	



**CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY**

*** 2023 Update ***	2007 Content
<p><b>Section 5.11. City Property.</b></p> <p>All books, papers, intellectual property, records (physical, digital, or otherwise) or other City property shall be the exclusive property of the City, and shall not become the property of any officer, employee, volunteer, or contractor at any time. All City property in the possession of any elective or appointive officer, or any employee, volunteer, or contractor, shall be surrendered to the City upon the termination of the <del>officer's term of office</del> or the employee's employment or completion of service contractual or otherwise.</p>	<p><b>Section 6.11. - City property.</b></p> <p>All books, papers, records or other City property shall be the exclusive property of the City, and shall not become the property of any officer or employee at any time. All City property in the possession of any elective or appointive officer, or any employee, shall be surrendered to the City upon the termination of the officer's term of office or the employee's employment.</p>
<p><b>Section 5.12. Person in Default to the City. (Formerly section 6.12)</b></p> <p>The City shall not contract with, or give an appointive position to, one who is in default to the City. No person who is in default to the City may accept or hold an elective or appointive position unless the default is resolved.</p>	
<p><b>Section 5.13. Resignations. (Formerly section 6.13)</b></p> <p>Resignations of elective officers shall be made in writing to the Council. Resignations of appointive officers shall be made in writing to the appropriate appointing authority and shall be acted upon immediately.</p>	

**CHAPTER 5. GENERAL PROVISIONS AFFECTING OFFICERS OF THE CITY**

*** 2023 Update ***	2007 Content
<p><b>Section 5.14. Proceedings for Removal of City Officers.</b></p> <p>When the Council shall have reason to believe that any elective or appointive office should be declared vacant, the Council shall hold a special public hearing to investigate the matter. A majority of the members of the Council thereafter may vote to declare such office vacant based on one or more of the following grounds:</p> <p>(a) Absence of the officer from the City for a period of ninety (90) consecutive days;</p> <p>(b) Substantial inability of the officer to perform the functions of office due to physical or mental incapacity;</p> <p>(c) Failure of the officer to meet any of the requirements of this charter for holding office;</p> <p>(d) Conviction of the officer of a felony, or conviction of a misdemeanor which is a lesser included offense of a felony which was initially charged against the officer. A plea of guilty or no contest to any such offense shall constitute a conviction for purposes of this section;</p> <p>(e) Wilful violation by the officer of the provisions of this charter or the ordinances of the City;</p> <p>(f) Habitual intoxication of the officer <b>while performing official duties as an officer of the City</b>, which shall not be limited to alcohol intoxication;</p> <p>(g) Wilful malfeasance or corruption of the officer in the course of duties;</p> <p>(h) Wilful misconduct of the officer resulting in substantial impairment of public service;</p> <p>(i) Use of public property or labor by any officer for the officer's own personal benefit or for the personal benefit of others.</p>	<p><b>Section 6.14. - Proceedings for removal of city officers.</b></p> <p>When the Council shall have reason to believe that any elective or appointive office should be declared vacant, the Council shall hold a special public hearing to investigate the matter. A majority of the members of the Council thereafter may vote to declare such office vacant based on one or more of the following grounds:</p> <p>(a) Absence of the officer from the City for a period of ninety consecutive days;</p> <p>(b) Substantial inability of the officer to perform the functions of office due to physical or mental incapacity;</p> <p>(c) Failure of the officer to meet any of the requirements of this charter for holding office;</p> <p>(d) Conviction of the officer of a felony, or conviction of a misdemeanor which is a lesser included offense of a felony which was initially charged against the officer. A plea of guilty or no contest to any such offense shall constitute a conviction for purposes of this section;</p> <p>(e) Wilful violation by the officer of the provisions of this charter or the ordinances of the City;</p> <p>(f) Habitual intoxication of the officer, which shall not be limited to alcohol intoxication;</p> <p>(g) Wilful malfeasance or corruption of the officer in the course of duties;</p> <p>(h) Wilful misconduct of the officer resulting in substantial impairment of public service;</p> <p>(i) Use of public property or labor by any officer for the officer's own personal benefit or for the personal benefit of others.</p>



*** 2023 Update ***	2007 Content
<p><b>Section 5.14. Proceedings for Removal of City Officers.</b> <b>(continued)</b></p> <p>If the Council shall receive a petition signed by two (2) councilmembers or by no less than two hundred (200) electors of the City stating the substance of allegations sufficient for the declaration of a vacancy in an office, the Council shall be required to hold a public hearing within thirty days to consider the allegations. Such petition shall be made upon oath or affirmation.</p> <p>Prior to any public hearing by the Council of allegations against any officer, the officer shall be notified of the charges in writing at least ten (10) days prior to the hearing. The officer shall be permitted to prepare written responses to the allegations, give testimony, to call witnesses and to cross examine adverse witnesses. Thereafter, the complaining councilmembers or petitioners may offer a rebuttal. The findings of the Council shall be submitted to the officer in writing following the hearing.</p>	<p><b>Section 6.14. - Proceedings for removal of city officers.</b> <b>(continued)</b></p> <p>If the Council shall receive a petition signed by two councilmembers or by no less than two hundred electors of the City stating the substance of allegations sufficient for the declaration of a vacancy in an office, the Council shall be required to hold a public hearing within thirty days to consider the allegations. Such petition shall be made upon oath or affirmation.</p> <p>Prior to any public hearing by the Council of allegations against any officer, the officer shall be notified of the charges in writing at least ten days prior to the hearing. The officer shall be permitted to prepare written responses to the allegations, give testimony, to call witnesses and to cross examine adverse witnesses. Thereafter, the complaining councilmembers or petitioners may offer a rebuttal. The findings of the Council shall be submitted to the officer in writing following the hearing.</p>
<p><b>Section 5.15. City Officers to Hold No Other Office. (Formerly section 6.15)</b></p> <p>No City Officer may simultaneously serve in a policy making or administrative capacity in another unit of government, unless permitted by law and approved by a vote of five members of the Council.</p>	
<p><b>Section 5.16. Residency.</b></p> <p>All appointive officers shall <del>have residency in compliance with the requirements be residents of the City, or shall become residents within one year of appointment, except as otherwise</del> provided in this Charter or by law.</p>	<p><b>Section 6.16. - Residency.</b></p> <p>All appointive officers shall be residents of the City, or shall become residents within one year of appointment, except as otherwise provided in this charter or by law.</p>

## CHAPTER 6. THE LEGISLATIVE DEPARTMENT

### What are these sections?

Chapter 6 ...

### What changed?

- Clarity! Section 6.1 was updated to provide clarity of purpose, proofreading, and updating section references.
- Sections 6.6 and 6.7 newly establish a minimum timeline for communicating special meetings of the Council and permits emergency meetings of the Council in alignment with state law.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 6 was discussed on:

- February 9, 2022 ; February 15, 2022 ; March 16,2022 ; June 7, 2023 ; July 26, 2023

### What state laws apply to these sections?

The State of Michigan sets legal requirements for City Charters. The state laws relevant to these sections are:

- **Section 6.1. Public peace, health and safety.** State law references: Permissible that Charter provide for police powers, MCL 117.4i(9).
- **Section 6.4. Meetings of the Council.** State law references: Open meetings act, MCL 15.261 et seq.
- **Section 6.5. Regular meetings of the Council.** State law references: Open meetings act, MCL 15.261 et seq.
- **Section 6.7. Emergency meetings of the Council.** State law reference: MCL 15.265(5) Public bodies may hold emergency sessions.
- **Section 6.8. Council rules of order.** State law references: Mandatory that Charter provide for keeping of a journal, MCL 117.3(m).
- **Section 6.11. Publication of Council proceedings.** State law references: Open Meetings Act, MCL 15.269 et seq.
- **Section 6.12. Depositories of City funds.** State law references: Designation of depositories, MCL 129.12; deposit of public monies, MCL 211.43b.
- **Section 6.13. Annual appropriation; collection and return of taxes.** State law references: Mandatory that Charter provide for annually levying and collecting taxes, MCL 117.3(i).

**CHAPTER 6. THE LEGISLATIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 6.1. Public Peace, Health and Safety.</b></p> <p>The Legislative Department (elected City Council) shall provide for the public peace and health and safety of persons and property.</p>	<p><b>Section 8.1. - Public peace, health and safety.</b></p> <p>The Council shall provide for the public peace and health and safety of persons and property.</p>
<p><b>Section 6.2. Judge Qualification of Members. (Formerly section 7.2)</b></p> <p>The Council shall be the judge of the qualifications of its members, subject only to review by the courts on facts and law.</p>	
<p><b>Section 6.3. Organization of the Council. (Formerly section 7.3)</b></p> <p>Except as otherwise provided in this Charter, the candidate for Council receiving the highest number of votes in the regular City election shall serve as president of the Council. The candidate for Council receiving the second highest number of votes in the same election shall serve as president pro tem of the Council and shall act as president of the Council during the absence or disability of the President or when the President is serving as Mayor Pro Tem (Section 9.3) or as Mayor on a temporary basis (Section 5.4). The term of office for Council officers shall correspond to their term of office as members of the Council to which they were elected. The President or President Pro Tem of the Council may decline to serve in such office in which event that candidate having received the next highest number of votes in the same City election shall serve in their stead. Each successive vacancy in the office of Council President or Council President Pro Tem shall be filled in the same manner. Other duties of the Council President and Council President Pro Tem shall be set forth in rules adopted by the Council.</p>	
<p><b>Section 6.4. Meetings of the Council. (Formerly section 7.4)</b></p> <p>All meetings of the Council shall be held in accordance with the Open Meetings Act and the Council Rules of Order. An agenda shall be required and available at all meetings of the Council.</p>	
<p><b>Section 6.5. Regular Meetings of the Council. (Formerly section 7.5)</b></p> <p>The regular meeting schedule shall be determined prior to the deadline for printing the City calendar for the upcoming year and published in the City calendar, if a calendar is to be printed.</p>	

**CHAPTER 6. THE LEGISLATIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 6.6. Special Meetings of the Council.</b></p> <p>Special meetings shall be called by the Clerk on request of the Mayor or any two Councilmembers <b>and wherever practicable upon no less than 24-hour notice to each member.</b> Written notice stating each matter to be considered at a special meeting shall be given to each Councilmember and the Mayor, as provided by Council rules, unless <b>a quorum of the entire</b> Council and the Mayor are present and waive notice.</p>	<p><b>Section 7.6. - Special meetings.</b></p> <p>Special meetings shall be called by the Clerk on request of the Mayor or any two Councilmembers. Written notice stating each matter to be considered at a special meeting shall be given each Councilmember and the Mayor, as provided by Council rules, unless the entire Council and the Mayor are present and waive notice.</p>
<p><b>Section 6.7 Emergency meetings of the Council.</b></p> <p>The City Council may meet in Emergency Session as permitted under the Michigan Open Meetings Act. When meeting in an Emergency Session, the Council President shall notify each Council member of the date, time, and place for the meeting. At the beginning of the meeting, the Chair shall explain the specific necessity and purpose of the Emergency meeting.</p>	<p>(No equivalent section in 2007 Charter)</p>

## CHAPTER 6. THE LEGISLATIVE DEPARTMENT

*** 2023 Update ***	2007 Content
<p><b>Section 6.8. Council rules of Order. (Formerly section 7.7)</b></p> <p>The Council shall determine its own rules and order of business except as otherwise provided by this charter and shall keep a journal of all of the proceedings of such meetings in the English language and in accordance with this charter which shall be signed by the President of the Council and the Clerk.</p>	
<p><b>Section 6.9. Attendance at Council meetings. (Formerly section 7.9)</b></p> <p>The Council shall compel the attendance of its members, unless excused for good cause, at its meetings and shall enforce orderly conduct therein. The Council may require the attendance at council meetings of the Mayor and any other officer of the City. In the event of illness or absence from the City the Mayor may satisfy such a request by the Council for attendance at meetings by sending a personal representative.</p>	
<p><b>Section 6.10. Official Newspaper. (Formerly section 7.10)</b></p> <p>At or prior to its second regular meeting in February of each year, the Council after receiving bids in accordance with established specifications shall designate a newspaper of general circulation in the City qualified to print legal notices under the laws of the State of Michigan as the official newspaper of the City for the following year.</p>	
<p><b>Section 6.11. Publication of Council Proceedings. (Formerly section 7.11)</b></p> <p>The proceedings of the Council meetings shall be available for public inspection in accordance with the Open Meetings Act, MCL 15.269 et seq.</p>	
<p><b>Section 6.12. Depositories of City Funds. (Formerly section 7.13)</b></p> <p>The Council shall select depositories in which the funds of the City may be deposited.</p>	
<p><b>Section 6.13. Annual Appropriation; Collection and Return of Taxes. (Formerly section 7.14)</b></p> <p>The Council shall provide for an annual appropriation of money for municipal purposes and for the levy, collection and return of state, county and school taxes in conformity with the general laws of the state. The subjects of taxation for City purposes are the same as for the State, County and School purposes under the general laws of the State.</p>	



## CHAPTER 7. POWERS OF THE COUNCIL

### What is this chapter?

Chapter 7 ...

### What changed?

- Clarification! The title of 7.2 has been updated for clarity.
- Sequence! The sequence of charter sections has been updated to ensure all sections are in the chapter that makes the most sense.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 7 was discussed on:

- February 15, 2022 ; March 16,2022 ; September 28, 2022 ; July 26,2023

### What state laws apply to these sections?

The State of Michigan sets legal requirements for City Charters. The state laws relevant to these sections are:

- **Section 7.2. Streets, alleys, bridges, and public places.** State law references: Permissible that Charter provide for regulation of public ways, MCL 117.4h(1).
- **Section 7.3. Licenses.** State law references: Permissible that Charter provide for regulation of trades and occupations, MCL 117.4i(4), MSA 5.2082(4).
- **Section 7.4. Rights as to property.** State law references: Permissible that Charter provide for maintenance and disposition of City property, MCL 117.4e(1), MSA 5.2078(1).

**CHAPTER 7. POWERS OF THE COUNCIL**

*** 2023 Update ***	2007 Content
<p><b>Section 7.1 General powers of the Council.</b></p> <p>The Council shall have full power and authority to exercise all the legislative powers conferred upon the City by law.</p>	
<p><b>Section 7.2 Streets <del>and</del>, Alleys, Bridges, and Public Places.</b></p> <p>The Council shall have the power, to the extent permitted by law, to establish, vacate and control and regulate the use of its streets, alleys, bridges and public places and the space above and beneath them.</p>	<p><b>Section 8.2. - Streets and alleys.</b></p> <p>The Council shall have the power, to the extent permitted by law, to establish, vacate and control and regulate the use of its streets, alleys, bridges and public places and the space above and beneath them.</p>
<p><b>Section 7.3. Licenses. (Formerly section 8.3)</b></p> <p>The Council shall, by ordinance, prescribe the terms and conditions upon which licenses and permits may be granted, suspended or revoked and may require payment of reasonable sums for any license or permit.</p>	
<p><b>Section 7.4. Rights as to Property. (Formerly section 8.4)</b></p> <p>The Council shall have the power to acquire for the City by purchase, gift, condemnation, lease, construction and to make alterations to all structures and property, real and personal, necessary for the proper performance of the operations of the City. Any purchase or sale of real property located more than five (5) miles outside city limits shall be approved by the electorate.</p>	
<p><b>Section 7.5. Trusts. (Formerly section 8.5)</b></p> <p>The Council may receive and hold any property or funds in trust for any municipal purpose and shall apply the same to the execution of such trusts and for no other purpose. All trusts established for any municipal purpose shall be used and continued in accordance with the terms of such trusts and law. The Council may terminate any trust for which the asset valuation and annual income total less than \$5,000 <del>five thousand dollars</del> and apply the principal and income to any special or general fund of the City.</p>	
<p><b>7.6. Restriction on Powers of the Council. (Formerly section 7.8)</b></p> <p>The Council shall not approve a contract with a person or business organization which is in default to the City. No ordinance or resolution shall be adopted except by the affirmative vote of at least four members of the Council, except as otherwise provided by law.</p>	

## CHAPTER 7. POWERS OF THE COUNCIL

*** 2023 Update ***	2007 Content
<p><b>Section 7.7 Investigations. (formerly section 7.12)</b></p> <p>The Council may subpoena witnesses, administer oaths, and compel the production of books, papers and other evidence in order to conduct an investigation into the operation of any department or office, or the conduct of any officer of the City.</p> <p>The Council may appoint a research assistant to the Council who shall not be a member of the classified service. The research assistant shall be responsible to and serve at the pleasure of the Council and may make investigations as directed by the Council and perform other duties as the Council may direct.</p>	
<p><b>Section 7.8. Seal of the City. (Formerly section 19.2)</b></p> <p>Until otherwise provided by the Council, the present seal of the City shall remain the seal of the City and be maintained by the City Clerk.</p>	

## CHAPTER 8. CITY LEGISLATION

### What are these sections?

Chapter 8 ...

### What changed?

- Proofreading! Section 8.6 has been updated to reflect correct grammar.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 8 was discussed on:

- March 16, 2022 ; March 23, 2022 ; August 10, 2022 ; September 28, 2022

### What state laws apply to these sections?

The State of Michigan sets legal requirements for City Charters. The state laws relevant to these sections are:

- **Section 8.2. Ordinance enactment.** State law references: Mandatory that Charter provide for ordinances, MCL 117.3(k), MSA 5.2073(k); general authority relative to adoption of ordinances, Mich. Const. 1963, Art. VII, § 22.
- **Section 8.7. Ordinance penalties.** State law references: Limitation on penalties, MCL 117.4i(10), MSA 5.2082(10).
- **Section 8.8. Technical codes.** State law references: Authority to adopt technical codes by reference, MCL 117.3(k), MSA 5.2073(k).
- **Section 8.9. Codification.** State law references: Authority to codify, MCL 117.5b, MSA 5.2084(2).
- **Section 8.10. Citizen Initiative.** State law references: Permissible that Charter provide for initiative, MCL 117.4i(6), MSA 5.2082(6).
- **Section 8.12. Referendum on ordinance passed by the Council.** State law references: Permissible that Charter provide for referendum, MCL 117.4i(6), MSA 5.2082(6).

## CHAPTER 8. CITY LEGISLATION

*** 2023 Update ***	2007 Content
<p data-bbox="207 394 1304 426"><b>Section 8.1. Ordinances and Resolutions of the Council. (Formerly section 9.1)</b></p> <p data-bbox="207 464 1386 625">The Council shall act only by ordinance or resolution. The word "resolution" as used in this charter shall be an official action in the form of a motion and such action shall be limited to matters required or permitted by law and to matters pertaining to the internal affairs or concerns of the city government. All other acts of the Council and all acts carrying a penalty for the violation thereof shall be by ordinance.</p> <p data-bbox="207 663 1369 762">Resolutions shall become effective on the day succeeding the date of the next regular meeting of the Council. The Council may give a resolution immediate effect by a vote of at least five (5) councilmembers providing the Mayor shall waive the right of veto.</p>	
<p data-bbox="207 793 997 825"><b>Section 8.2. Ordinance Enactment. (Formerly section 9.2)</b></p> <p data-bbox="207 863 1369 961">Each proposed ordinance shall be introduced in writing by a member of the Council. A synopsis of each proposed ordinance shall be contained in the agenda of each meeting at which a proposed ordinance is considered.</p> <p data-bbox="207 999 1401 1125">Except for emergency ordinances, no proposed ordinance shall be finally passed by the Council at the same meeting at which the proposed ordinance is introduced. After introduction, the proposed ordinance shall be published in full in the official newspaper of the City.</p> <p data-bbox="207 1163 1414 1325">All ordinances when enacted shall be immediately recorded and filed by the Clerk. The Mayor and the Clerk shall authenticate such record by their signatures thereon. Except for emergency ordinances that are published by posting pursuant to Section 98.3, all ordinances shall be published in the official newspaper within ten days after enactment and shall become effective the day after publication.</p>	

## CHAPTER 8. CITY LEGISLATION

*** 2023 Update ***	2007 Content
<p data-bbox="203 394 1019 428"><b>Section 8.3. Emergency Ordinances. (Formerly section 9.3)</b></p> <p data-bbox="203 464 1414 590">To meet public emergencies affecting only life, health, property or the public peace an emergency ordinance may be enacted. An emergency ordinance may not levy taxes, grant, renew or extend a franchise or regulate, establish or adjust the rate charged for service of any kind.</p> <p data-bbox="203 630 1398 758">An emergency ordinance shall be introduced in the form and manner required for ordinances generally except that it shall contain a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be introduced and enacted at the same meeting.</p> <p data-bbox="203 798 1414 1024">An emergency ordinance may be given immediate effect upon publication when enacted by five members of the Council and when so enacted shall not be subject to the veto of the Mayor. Publication of emergency ordinances shall be effective by posting in three (3) prominent places in the City. Every emergency ordinance shall also be published in the official newspaper within ten (10) days after enactment. Every emergency ordinance is automatically repealed on the sixty-first (61st) day after its enactment unless it is reenacted as an ordinance in accordance with the provisions of this charter.</p>	
<p data-bbox="203 1060 1256 1094"><b>Section 8.4. Amendment and Revision of Ordinances. (Formerly section 9.4)</b></p> <p data-bbox="203 1129 1406 1192">The Council shall have power to amend or revise any existing ordinance in whole or in part in the manner provided for ordinance enactment.</p>	
<p data-bbox="203 1222 1154 1255"><b>Section 8.5. Repeal and Continue Ordinances. (Formerly section 9.5)</b></p> <p data-bbox="203 1260 1398 1354">The Council shall have power to repeal or continue any existing ordinance in the manner provided for ordinance enactment except that an ordinance may be repealed or continued by reference.</p>	

**CHAPTER 8. CITY LEGISLATION**

*** 2023 Update ***	2007 Content
<p><b>Section 8.6. Veto by Mayor.</b></p> <p>Except as otherwise provided in this charter, the Mayor shall have the power to veto any ordinance or resolution of the Council. The veto must be written or printed giving the reasons for veto and filed with the Clerk at least thirty-six (36) hours prior to the time of the next regular meeting of the Council after such ordinance was enacted or such resolution adopted.</p> <p>In the event that a resolution is adopted at a special meeting of the Council and there are fewer <del>is less</del> than seventy-two (72) hours before the next regular meeting, the Mayor may veto the resolution by four o'clock in the afternoon of the date of the next regular meeting of the Council.</p> <p>The Clerk shall present such veto to the Council at the next regular meeting after which it is received and the Council shall reconsider the vote and may readopt the ordinance or resolution by the affirmative vote of five members and the Mayor shall have no further right to veto the ordinance or resolution.</p> <p>Ordinances which are adopted over the veto of the Mayor shall continue in effect as if there were no veto and ordinances which are not so adopted shall be removed from ordinance records.</p>	<p><b>Section 9.6. - Veto by mayor.</b></p> <p>Except as otherwise provided in this charter, the Mayor shall have the power to veto any ordinance or resolution of the Council. The veto must be written or printed giving the reasons for veto and filed with the Clerk at least thirty-six hours prior to the time of the next regular meeting of the Council after such ordinance was enacted or such resolution adopted.</p> <p>In the event a resolution is adopted at a special meeting of the Council and there is less than seventy-two hours before the next regular meeting, the Mayor may veto the resolution by four o'clock in the afternoon of the date of the next regular meeting of the Council.</p> <p>The Clerk shall present such veto to the Council at the next regular meeting after which it is received and the Council shall reconsider the vote and may readopt the ordinance or resolution by the affirmative vote of five members and the Mayor shall have no further right to veto the ordinance or resolution.</p> <p>Ordinances which are adopted over the veto of the Mayor shall continue in effect as if there were no veto and ordinances which are not so adopted shall be removed from ordinance records.</p>
<p><b>Section 8.7. Ordinance Penalties.</b></p> <p>The Council shall provide in each ordinance for punishment of up to 90 days imprisonment, up to a \$500 fine, or both, or as otherwise permitted by law for those who violate its provisions.</p>	<p><b>Section 9.7. Ordinance penalties.</b></p> <p>The Council shall provide in each ordinance for punishment of up to 90 days imprisonment, a \$500 fine, or both, or as otherwise permitted by law for those who violate its provisions.</p>

## CHAPTER 8. CITY LEGISLATION

*** 2023 Update ***	2007 Content
<p><b>Section 8.8. Technical Codes. (Formerly section 9.8)</b></p> <p>The Council may adopt any provision of State law or any detailed technical regulations as a city ordinance or code by citation of such provision which has been promulgated by the State of Michigan, or by any department, board, or other agency thereof, or by any organization or association which is organized and conducted for the purpose of development of such code by reference thereto in an adoptive ordinance without publishing such code in full. The purpose of such code shall be published with the adoptive ordinance and copies of such code shall be made available to the public in the office of the Clerk for sale to the public at cost.</p>	
<p><b>Section 8.9. Codification. (Formerly section 9.9)</b></p> <p>Copies of all ordinances which are in effect, all resolutions, this charter and all amendments thereto shall be prepared and kept on hand in the office of the Clerk and made available for public distribution at cost. Codification shall be arranged by the City Clerk on an as needed basis.</p>	
<p><b>Section 8.10. Citizen Initiative. (Formerly section 9.10)</b></p> <p>Any ordinance which may be legally adopted by the Council, except an appropriation, may be proposed by a petition signed by five percent of the registered electors of the City. Such petition shall be addressed to the Council and shall set forth the proposed ordinance in a form permitted by law.</p>	
<p><b>Section 8.11. Petitions; when sufficient; Council procedures. (Formerly section 9.11)</b></p> <p>Within ten (10) days from the date of the filing of the petitions, the Clerk shall determine the sufficiency of the petitions and report this fact to the Council.</p> <p>If the petitions are found to be sufficient, the Council shall consider the ordinance contained in the petition at its next regular meeting and if it does not pass the ordinance within three successive regular meetings after its receipt from the Clerk, the Council shall provide for the submission of such ordinance to the electors of the City at the next election in the City. No separate election shall be held for the purpose of initiative except as provided by law.</p>	
<p><b>Section 8.12. Referendum on ordinance passed by the Council. (Formerly section 9.12)</b></p> <p>Within ninety (90) days after the publication of any ordinance passed by the Council, except on appropriation, petitions may be presented to the Council protesting such ordinance continuing in effect. Such petitions shall be in the same form generally as that specified for initiative petitions and signed by registered electors of the City not less in number than ten percent (10%) of all votes cast for the office of mayor at the preceding election. Such ordinance shall be suspended from operation upon receipt of petitions by the Council. If the ordinance is not repealed within four (4) weeks from the date of receipt of petitions from the Clerk, the Council shall submit the question to a vote of the electors of the City.</p>	





## CHAPTER 8. CITY LEGISLATION

*** 2023 Update ***	2007 Content
<p><b>Section 8.13. Referendum May be made by Council Without Petition. (Formerly section 9.13)</b> The Council may submit to a referendum, for adoption or rejection by the electors of the City, any ordinance, proposed ordinance, measure or proposal for the repeal or amendment of any ordinance.</p>	
<p><b>Section 8.14. Referendum Elections. (Formerly section 9.14)</b> The ordinance or other measure or proposal to be submitted to the electors shall be published at least once in the official newspaper of the City and electronic media if available at least forty-five (45) days prior to the election at which it is to be submitted. If the majority vote of the electors voting at the election is in favor of the ordinance or other proposition, the same proceedings shall be taken after the canvass of the returns and declaration of results by the Board of Canvassers, as would be necessary if the same action upon such proposition had been taken by the Council, except that in the case of ordinances no further publication shall be required.</p>	
<p><b>Section 8.15. When Referendum Fails. (Formerly section 9.15)</b> If at such election the ordinance shall fail, a similar ordinance on the same subject shall not be submitted to the electors for two years after the date of such election.</p>	
<p><b>Section 8.16. Review of Ordinances Adopted or Repealed by Referendum. (Formerly section 9.16)</b> No ordinance adopted or repealed under this charter by initiative or referendum vote shall be adopted, repealed or amended except by the vote of the electorate; however, such ordinance shall be subject to review as provided for in this chapter only after five years time has elapsed from the date of its passage.</p>	

## CHAPTER 9. THE EXECUTIVE DEPARTMENT

### What is this chapter?

Chapter 9 ...

### What changed?

- Clarity! The use of the term “it” in section 9.1 was not as clear as possible. By changing the word “it” to “the Mayor” the section is more clear about who the authority belongs to.
- Protections! 9.3 has been amended to promote stability and continuity in the case of a temporary absence of the Mayor.
- Clarity! The first paragraph of 9.8 was edited to ensure clarity for readers.
- Section 9.9 promotes diversity and ensures proper representation within the multi-member bodies of our City and promotes inclusive decision-making and equitable governance.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 9 was discussed on:

- March 16, 2022 ; March 23, 2022 ; April 6, 2022 ; June 21, 2023 ; July 25, 2023

### What state laws apply to these sections?

- **Section 9.5 Duties of the City Treasurer.** State law references: Mandatory that Charter provide for duties of officers, MCL 117.3(d).
- **Section 9.6 Duties of the City Assesor.** State law references: Mandatory that Charter provide for duties of officers, MCL 117.3(d).

**CHAPTER 9. THE EXECUTIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 9.1. Administrative Officers.</b></p> <p>The administrative officers of the City shall be the Mayor, Clerk, Treasurer, Assessor, Corporation Counsel, Chief of Staff, Chief Labor Negotiator, and all directors of departments and members of multi-member bodies of the city government. The Mayor, with Council approval may combine any administrative offices and departments, or separate, or eliminate them, in any manner <b>the Mayor</b> considers advisable for the proper and efficient operation of the City, except as may be otherwise provided by law.</p>	<p><b>Section 10.1. - Administrative officers.</b></p> <p>The administrative officers of the City shall be the Mayor, Clerk, Treasurer, Assessor, Corporation Counsel, Chief of Staff, Chief Labor Negotiator and all directors of departments and members of multi-member bodies of the city government. The Mayor, with Council approval may combine any administrative offices and departments, or separate, or eliminate them, in any manner it considers advisable for the proper and efficient operation of the City, except as may be otherwise provided by law.</p>
<p><b>Section 9.2. Duties of the Mayor. (Formerly section 10.2)</b></p> <p>The Mayor shall be the Chief Executive Officer of the City. The Mayor shall be the conservator of the peace and shall exercise within the City, the powers as necessary for the preservation of the public peace, health and safety of persons and property. The power and duties of the Mayor shall include the following:</p> <ul style="list-style-type: none"> <li>(a) Enforcement of all laws and ordinances;</li> <li>(b) Appointment and removal of appointive officers and members of multimember bodies except as otherwise provided for in this Charter or by law. The appointment of the person as Corporation Counsel shall be subject to the confirmation of the Council;</li> <li>(c) Enforcement of all terms and conditions of any franchise, contract or other agreement entered into by the City;</li> <li>(d) Authentication by signing such instruments as are required by law, the Council and this Charter;</li> <li>(e) Attendance at any meeting of the Council which the Mayor has been requested by the Council to attend, however, in the event of illness or absence from the City, the Mayor may satisfy such a request by the Council for attendance at meetings by sending a personal representative;</li> <li>(f) Preparation and administration of the annual budget of the City;</li> <li>(g) Submission to the Council and to the citizens on or before the first (1st) day of September of each year, of a complete report on the activities, during the prior fiscal year, for those departments not under the jurisdiction of any other elected official;</li> <li>(h) Recommendation to the Council for adoption of measures deemed to be necessary and beneficial to the City and its citizens;</li> <li>(i) Ensuring the efficient administration of all departments and functions of the City government not under the jurisdiction of any other elected official; or the Civil Service Commission. The Mayor may create, eliminate, or privatize any administrative department, or any or all of its functions, that are deemed appropriate in order to deliver necessary services and for the City government to function</li> </ul>	

efficiently, with prior approval of the Council, except there shall be a Clerk, Treasurer and Assessor.

**CHAPTER 9. THE EXECUTIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 9.3. Mayor Pro Tem.</b></p> <p>When the Mayor is absent, the President of the Council shall act as Mayor Pro Tem.</p> <p>The Mayor Pro Tem shall not have the power to remove the appointive officers who have been appointed by the Mayor, until the Mayor Pro Tem shall have acted in the capacity of the Mayor for a period of <del>thirty-ninety</del> (90) consecutive days. Such removal by the Mayor Pro Tem shall be only for just cause, based on one or more of the grounds set forth in Section 5.14 and approved by a majority of the members of the Council before becoming effective.</p> <p>Appointments made by the Mayor Pro Tem shall be confirmed by a majority of the members of the Council. These appointments shall be temporary until such appointee shall have served in the appointed capacity for a period of <del>sixty</del> ninety (90) days following the appointment, and thereafter shall extend for the balance of the unexpired term.</p> <p>The Mayor Pro Tem shall attend all the meetings of the Council but shall not take an active part in the Council proceedings except to vote in the case of a tie vote. Increased compensation for the Mayor Pro Tem shall be at the discretion of the Council.</p>	<p><b>Section 10.3. - Mayor pro tem.</b></p> <p>When the Mayor is absent, the President of the Council shall act as Mayor Pro Tem.</p> <p>The Mayor Pro Tem shall not have the power to remove the appointive officers who have been appointed by the Mayor, until the Mayor Pro Tem shall have acted in the capacity of the Mayor for a period of thirty consecutive days. Such removal by the Mayor Pro Tem shall be only for just cause, based on one or more of the grounds set forth in Section 6.14 and approved by a majority of the members of the Council before becoming effective.</p> <p>Appointments made by the Mayor Pro Tem shall be confirmed by a majority of the members of the Council. These appointments shall be temporary until such appointee shall have served in the appointed capacity for a period of sixty days following the appointment, and thereafter shall extend for the balance of the unexpired term.</p> <p>The Mayor Pro Tem shall attend all the meetings of the Council but shall not take an active part in the Council proceedings except to vote in the case of a tie vote. Increased compensation for the Mayor Pro Tem shall be at the discretion of the Council.</p>

## CHAPTER 9. THE EXECUTIVE DEPARTMENT

*** 2023 Update ***	2007 Content
<p data-bbox="203 394 1031 428"><b>Section 9.4. Duties of the City Clerk. (Formerly section 10.4)</b></p> <p data-bbox="203 464 1344 527">The Clerk shall keep the corporate seal, chair the Election Commission, and perform the following functions:</p> <ul data-bbox="203 562 1396 1627" style="list-style-type: none"><li data-bbox="203 562 1291 625">(a) Attendance at all Council meetings as Clerk of the Council and maintenance of a permanent journal of the proceedings in the English language;</li><li data-bbox="203 661 1339 724">(b) Maintenance of all documents, papers, files and records not entrusted to some other officer by this charter or by ordinances or resolutions of the Council;</li><li data-bbox="203 760 1144 793">(c) Recording and maintenance in books of all the ordinances of the City;</li><li data-bbox="203 829 1291 863">(d) Affixing of the corporate seal to all documents and instruments requiring the seal;</li><li data-bbox="203 898 1396 932">(e) Maintenance of a record of any franchise, contract or agreement entered into by the City;</li><li data-bbox="203 968 1396 1031">(f) Issuance and registration of all licenses granted after the license fee has been paid to the Treasurer;</li><li data-bbox="203 1066 1388 1129">(g) Administration of all oaths and affirmations, except as provided in this charter, in matters pertaining to the City, without charge;</li><li data-bbox="203 1165 1323 1199">(h) Efficient administration of the affairs of the office of Clerk and Election Commission;</li><li data-bbox="203 1234 1388 1329">(i) Preparation and submission to the Council and to the citizens of a complete report on the activities of the office of Clerk and the Election Commission on or before the first day of September of each year;</li><li data-bbox="203 1365 1274 1428">(j) Provision of copies, certified under the seal of the City when requested, of public documents and records of the City as required by law;</li><li data-bbox="203 1463 1356 1526">(k) Approval by the signing of any standard operating procedures adopted by the office of Clerk or Election Commission;</li><li data-bbox="203 1562 1388 1625">(l) Performance of other duties required by law, this charter or ordinance or resolution of the Council.</li></ul>	

**CHAPTER 9. THE EXECUTIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 9.5. Duties of the City Treasurer.</b>                      The City Treasurer shall be the general accountant of the City and shall have custody of City funds, money, and securities, and be responsible for the deposit and safekeeping of City funds money and securities. The City Treasurer shall have all powers and immunities for the collection of taxes as provided by law. The City Treasurer shall maintain a uniform system of accounts as required by law.</p>	<p><b>Section 10.5. - City treasurer.</b>                      The City Treasurer shall be the general accountant of the City and shall have custody of City funds, money, and securities, and be responsible for the deposit and safekeeping of City funds money and securities. The Treasurer shall have all powers and immunities for the collection of taxes as provided by law. The Treasurer shall maintain a uniform system of accounts as required by law.</p>
<p><b>Section 9.6. Duties of the City Assessor.</b>                      The City Assessor shall be certified and shall possess all qualifications for the position required by law. The City Assessor shall have all power vested in and shall be charged with all duties imposed upon assessing officers by general laws of the State. The City Assessor shall prepare all regular and special assessment rolls in the manner prescribed by this Charter, by ordinance or by the general laws of the State.</p>	<p><b>Section 10.6. - City assessor.</b>                      The City Assessor shall be certified and shall possess all qualifications for the position required by law. The assessor shall have all power vested in and shall be charged with all duties imposed upon assessing officers by general laws of the State. The Assessor shall prepare all regular and special assessment rolls in the manner prescribed by this Charter, by ordinance or by the general laws of the State.</p>
<p><b>Section 9.7. Administrative Departments. (Formerly section 10.7)</b></p> <p>Upon recommendation of the Mayor, the Council may establish by ordinance administrative departments to provide the most effective and efficient services to the community, including, but not limited to: public safety; health and welfare; the maintenance, expansion, and improvement of public infrastructure; financial operations; legal representation; assessment of properties; collection of taxes and fees; community master planning and zoning; redevelopment; historical preservation, cultural and recreational activities; employee/labor relations; and municipal services as mandated by State law.</p>	



## CHAPTER 9. THE EXECUTIVE DEPARTMENT

*** 2023 Update ***	2007 Content
<p><b>Section 9.8. Mayoral Appointees and Directors of Departments.</b></p> <p>Except as otherwise provided in this Charter, <del>all directors of departments and</del> appointive officers <del>-- other than members of multi-member bodies --, and directors of departments--</del> shall be appointed by the Mayor. <del>All and such</del> appointees or reappointees shall be certified in writing to the Clerk on or before the third Monday in January following each regular City election, or within <del>ninety</del> (90) days following a special election to fill the vacancy of the office of the Mayor, or at such other times as may be required to fill vacancies.</p> <p>All directors of departments must possess the necessary qualifications related to the operation of the department to which they are appointed. The deputy director of a department shall act as the director of a department until an appointment is made. The term of office of all appointive officers, other than members of multi-member bodies, and directors of departments shall begin immediately upon appointment and continue until the term of office of the appointing authority ends, or until replacement, whichever occurs later.</p> <p>The Council may by a vote of five (5) members taken within four (4) weeks after the certification to the Clerk of any person to the position of appointive director of a department, remove from office any person so appointed. The person so removed may not again receive an appointment to the same office during the current term of the Mayor. When the Council shall so remove any appointee of the Mayor, the term of office of such appointee shall terminate immediately.</p>	<p><b>Section 10.8. - Mayoral appointees and directors of departments.</b></p> <p>Except as otherwise provided in this charter, all appointive officers, other than members of multi-member bodies, and directors of departments shall be appointed by the Mayor and such appointees or reappointees shall be certified in writing to the Clerk on or before the third Monday in January following each regular City election, or within 90 days following a special election to fill the vacancy of the office of the Mayor, or at such other times as may be required to fill vacancies.</p> <p>All directors of departments must possess the necessary qualifications related to the operation of the department to which they are appointed. The deputy director of a department shall act as the director of a department until an appointment is made. The term of office of all appointive officers, other than members of multi-member bodies, and directors of departments shall begin immediately upon appointment and continue until the term of office of the appointing authority ends, or until replacement, whichever occurs later.</p> <p>The Council may by a vote of five members taken within four weeks after the certification to the Clerk of any person to the position of appointive director of a department, remove from office any person so appointed. The person so removed may not again receive an appointment to the same office during the current term of the Mayor. When the Council shall so remove any appointee of the Mayor, the term of office of such appointee shall terminate immediately.</p>

**CHAPTER 9. THE EXECUTIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 9.9. Multi-Member Bodies.</b></p> <p>Except as provided in this Charter, the Council may by ordinance create or discontinue multi-member bodies to assist the officers, departments and agencies of the City in the execution of their duties. Unless otherwise provided by law, the Mayor shall appoint members of multi-member bodies for terms of three (3) years commencing on the first day of July. Unless otherwise provided by law, all appointees of the Mayor to multi-member bodies shall be subject to confirmation by the Council. Members of multi-member bodies shall possess the qualifications required by this charter for holding office, unless the Mayor shall state reasons for an exception at the time the appointment is made. <del>Every attempt shall be made to make multi-member bodies as widely representative of the people of the City as possible.</del></p> <p>The Clerk shall report to the Mayor, Council or other appointing authority prior to the first Council meeting in March of each year, a list of the terms of office on multi-member bodies which shall end on the thirtieth day of June. Terms of office shall be staggered so that an equal number as possible of terms shall expire each year of each multi-member body.</p>	<p><b>Section 10.9. - Multi-member bodies.</b></p> <p>Except as provided in this charter, the Council may by ordinance create or discontinue multi-member bodies to assist the officers, departments and agencies of the City in the execution of their duties. Unless otherwise provided by law, the Mayor shall appoint members of multi-member bodies for terms of three years commencing on the first day of July. Unless otherwise provided by law, all appointees of the Mayor to multi-member bodies shall be subject to confirmation by the Council. Members of multi-member bodies shall possess the qualifications required by this charter for holding office, unless the Mayor shall state reasons for an exception at the time the appointment is made. Every attempt shall be made to make multi-member bodies as widely representative of the people of the City as possible.</p> <p>The Clerk shall report to the Mayor, Council or other appointing authority prior to the first Council meeting in March of each year, a list of the terms of office on multi-member bodies which shall end on the thirtieth day of June. Terms of office shall be staggered so that an equal number as possible of terms shall expire each year of each multi-member body.</p>

**CHAPTER 9. THE EXECUTIVE DEPARTMENT**

*** 2023 Update ***	2007 Content
<p><b>Section 9.9. Multi-Member Bodies.</b> <i>(continued)</i></p> <p>The Mayor shall: <del>establish and make public a procedure which shall provide for receiving applications and recommendations of individuals for appointment to multi-member bodies.</del></p> <ol style="list-style-type: none"> <li>1. Make every attempt to make multi-member bodies as widely representative of the people of the City as possible</li> <li>2. Establish a proactive and ongoing outreach strategy to encourage participation from underrepresented groups.</li> <li>3. Collaborate with community organizations, civic groups, and educational institutions to identify and engage individuals with diverse backgrounds.</li> <li>4. Develop comprehensive recruitment procedures that are transparent, accessible, and inclusive, utilizing online platforms, public notices, and other means to reach a wide range of potential candidates</li> </ol> <p>The mayor/administration shall:</p> <ol style="list-style-type: none"> <li>1. Implement training programs for members of multi-member bodies to enhance their understanding of diversity, cultural competency, and the importance of inclusive decision-making.</li> <li>2. Provide ongoing professional development opportunities to ensure members are equipped with the necessary skills and knowledge to effectively represent the community's interests.</li> <li>3. Establish mechanisms for periodic evaluation of multi-member bodies to assess their productivity, efficiency, diversity and representation.</li> <li>4. Publish reports or publicly share information on the representation within multi-</li> </ol>	<p><b>Section 10.9. - Multi-member bodies.</b> <i>(continued)</i></p> <p>The Mayor shall establish and make public a procedure which shall provide for receiving applications and recommendations of individuals for appointment to multi-member bodies.</p>

member bodies, promoting transparency and accountability.	
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*** 2023 Update ***	2007 Content
<p><b>Section 9.9. Multi-Member Bodies.</b> <i>(continued)</i></p> <p>Vacancies on multi-member bodies shall be filled immediately upon occurrence and persons so appointed shall take office immediately and shall serve for the remainder of the unexpired term. The provisions of this Charter shall not be construed to prevent the Council from establishing, by resolution, committees to assist the Council in its study of any matter of concern to the City.</p> <p>Each multi-member body shall establish its rules of order and its officers shall be elected from among its members no later than the thirty-first (31st) day of August of each year.</p> <p>The provisions of this section shall not apply to the appointments made to the <del>Board of Canvassers</del>, the Election Commission, the Board of Review or the Zoning Board of Appeals, which shall be made in accordance with State law or City Charter; or to appointments made to the governing boards of the City retirement systems which shall be made in accordance with Chapter <del>Sixteen Seventeen</del>.</p>	<p><b>Section 10.9. - Multi-member bodies.</b> <i>(continued)</i></p> <p>Vacancies on multi-member bodies shall be filled immediately upon occurrence and persons so appointed shall take office immediately and shall serve for the remainder of the unexpired term. The provisions of this charter shall not be construed to prevent the Council from establishing, by resolution, committees to assist the Council in its study of any matter of concern to the City.</p> <p>Each multi-member body shall establish its rules of order and its officers shall be elected from among its members no later than the thirty-first day of August of each year.</p> <p>The provisions of this section shall not apply to the appointments made to the Board of Canvassers, the Election Commission, the Board of Review or the Zoning Board of Appeals, which shall be made in accordance with state law or City Charter; or to appointments made to the governing boards of the City retirement systems which shall be made in accordance with Chapter Seventeen.</p>
<p><b>Section 9.10. Council and Departmental Operations <del>not to interfere</del>.</b></p> <p>No member of the Council shall interfere directly or indirectly with the <del>operations conduct</del> of any department except as provided for in this Charter. <del>The Council shall deal with the Mayor, Clerk, or multi-member bodies instead of the appointees and employees who are under their supervision.</del></p> <p>The content of this section shall not be construed as placing restrictions on the City</p>	<p><b>Section 10.10. - Council not to interfere.</b></p> <p>No member of the Council shall interfere directly or indirectly with the conduct of any department except as provided for in this Charter.</p>

Council's or Corporation Counsel's ability to carry out their official duties.	
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*** 2023 Update ***	2007 Content
<p><b>Section 9.11. Officers and Employees Seeking City Office. (Formerly section 10.11)</b></p> <p>An appointive Officer or an employee of the City may be granted a leave of absence without pay, benefits or accrued time towards promotion or retirement, to seek a City elective office in accordance with MCL 15.403 <i>et seq.</i></p> <p>No elected Officer shall become a member of the classified service or an appointive Officer during the term for which elected.</p>	
<p><b>Section 9.12. Deputy Directors. (Formerly section 10.12)</b></p> <p>The Clerk, Treasurer, and Assessor shall appoint a deputy in accordance with the Civil Service provisions of this Charter. Each director of a department may appoint a deputy, except as otherwise provided in this Charter, with the approval of the Mayor, in accordance with the Civil Service provisions of this Charter. The deputy shall act in the absence or disability of the Clerk or director.</p>	
<p><b>Section 9.13. Chief of Staff. (Formerly section 10.13)</b></p> <p>The Mayor may appoint a Chief of Staff who shall be an appointive Officer to aid in the performance of the administrative duties of the office of the Mayor. The Chief of Staff shall be an Officer of the City and shall serve at the pleasure of the Mayor.</p>	
<p><b>Section 9.14. Operating Procedures. (Formerly section 10.14)</b></p> <p>Operating procedures required for the organization and conduct of the departments of the City shall be formulated by the director or multi-member body in charge of such departments.</p>	
<p><b>Section 9.15. Appointing Authority. (Formerly section 10.15)</b></p> <p>Operating procedures required for the organization and conduct of the departments of the City shall be formulated by the director or multi-member body in charge of such departments.</p>	

*** 2023 Update ***	2007 Content
<p><b>Section 9.16. Police Department.</b></p> <p>There shall be a separate police department, the director of which shall be the Chief of Police, who shall be appointed by the Mayor and shall be educated, skilled, and qualified by experience in law enforcement and police administration. The Chief of Police shall be the executive Officer of the department and shall be responsible for the administration of the department. The Chief of Police shall organize and carry out the duties and functions of the department. <del>The City shall employ no less than 2.1 fulltime paid sworn police Officers for each 1,000 person residing in the City of Dearborn, as indicated by the most recent United States Census.</del></p>	<p><b>Section 10.16. - Police department.</b></p> <p>There shall be a separate police department, the director of which shall be the Chief of Police, who shall be appointed by the Mayor and shall be educated, skilled, and qualified by experience in law enforcement and police administration. The Chief of Police shall be the executive Officer of the department and shall be responsible for the administration of the department. The Chief of Police shall organize and carry out the duties and functions of the department. The City shall employ no less than 2.1 fulltime paid sworn police Officers for each 1,000 person residing in the City of Dearborn, as indicated by the most recent United States Census.</p>
<p><b>Section 9.17. Fire Department.</b></p> <p>There shall be a separate fire department, the director of which shall be the Fire Chief, who shall be appointed by the Mayor and shall be educated, skilled and qualified by experience in fire science and the administration of a fire department. The Fire Chief shall be the executive Officer of the fire department and shall be responsible for the administration of the department. The Fire Chief shall organize and carry out the duties and functions of the department. <del>The City shall employ no less than 1.24 full-time paid professional firefighters for each 1,000 persons residing in the City of Dearborn as indicated by the most recent United States Census.</del></p>	<p><b>Section 10.17. - Fire department.</b></p> <p>There shall be a separate fire department, the director of which shall be the Fire Chief, who shall be appointed by the Mayor and shall be educated, skilled and qualified by experience in fire science and the administration of a fire department. The Fire Chief shall be the executive Officer of the fire department and shall be responsible for the administration of the department. The Fire Chief shall organize and carry out the duties and functions of the department. The City shall employ no less than 1.24 full-time paid professional firefighters for each 1,000 persons residing in the City of Dearborn as indicated by the most recent United States Census.</p>

**(Insert explanation of the State of Michigan law that necessitated this change)**

*** 2023 Update ***	2007 Content
<p><b>Section 9.18. Corporation <del>Legal</del> Counsel.</b></p> <p>There shall be a Corporation Counsel who shall be licensed to practice law in the State of Michigan. A deputy Corporation Counsel, who shall be a member of the classified service, may be appointed by the Corporation Counsel. The Corporation Counsel shall not engage in the practice of law directly or indirectly other than in the fulfillment of his/her responsibilities to the City. The Corporation Counsel shall act as legal advisor to and attorney and counsel for all the members of the Council in matters relating to their official duties. The Corporation Counsel shall give written opinions to any official or department of the City when requested in writing by the Mayor or Council, and shall file copies of the same with the Clerk. The Corporation Counsel shall prepare, or officially pass upon, all contracts, bonds and other instruments in writing in which the City is concerned, and shall certify before execution as to their legality and correctness of form. The Corporation Counsel shall perform such other duties of a legal nature pertaining to the affairs of the City as may be prescribed by this Charter, by the Council or by the Mayor.</p>	<p><b>Section 10.18. - Legal counsel.</b></p> <p>There shall be a Corporation Counsel who shall be licensed to practice law in the State of Michigan. A deputy corporation counsel, who shall be a member of the classified service, may be appointed by the Corporation Counsel. The Corporation Counsel shall not engage in the practice of law directly or indirectly other than in the fulfillment of his/her responsibilities to the City. The Corporation Counsel shall act as legal advisor to and attorney and counsel for all the members of the Council in matters relating to their official duties. The Corporation Counsel shall give written opinions to any official or department of the City when requested in writing by the Mayor or Council, and shall file copies of the same with the Clerk. The Corporation Counsel shall prepare, or officially pass upon, all contracts, bonds and other instruments in writing in which the City is concerned, and shall certify before execution as to their legality and correctness of form. The Corporation Counsel shall perform such other duties of a legal nature pertaining to the affairs of the City as may be prescribed by this Charter, by the Council or by the Mayor.</p>
<p><b>Section 9.19. Special Counsel. (Formerly section 10.19)</b></p> <p>Upon recommendation of the Corporation Counsel, approved by the Mayor, the Council may retain special legal counsel to handle any matter to which the City is a party or in which the City has an interest, or to assist and co-counsel with the Corporation Counsel therein, for such limited time and purpose as the Mayor shall specify.</p> <p>The Council may retain an attorney of its own selection other than and in addition to the Corporation Counsel on such matters and for such periods of time as it may deem necessary for the best interests of the City.</p>	
<p><b>Section 9.20. Department of Libraries. (Formerly section 10.20)</b></p> <p>The Department of Libraries shall be under the general management and control of a Library Commission consisting of nine members appointed by the Mayor. The Commission shall determine the policies of the Department of Libraries and shall select a Library Director who</p>	



shall be a member of the classified service and who shall administer the activities of the Department of Libraries and be the appointing authority for all other library employees.

<b>*** 2023 Update ***</b>	<b>2007 Content</b>
<p><b>Section 9.21. Planning Commission.</b></p> <p>There shall be a City Planning Commission which shall exercise its authority in accordance with State law and shall consist of nine (9) <del>private persons</del> members appointed by the Mayor with the approval of the Council.</p>	<p><b>Section 10.21. - Plan commission.</b></p> <p>There shall be a City Plan Commission which shall exercise its authority in accordance with State law and shall consist of nine members appointed by the Mayor with the approval of the Council.</p>

## CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION

### What is this chapter?

Chapter 10 ...

### What changed?

Throughout the chapter, the title of the position that heads the Human Resources department has been renamed from Administrator to Director, a more accurate description of the scope and skill of the position. Additional specific updates include:

- **Section 10.1 Purpose.** Removal of references to the creation of a Civil Service System since one is firmly in place. A descriptive outline on what the purpose/function of the Civil Service System is now offered.
- **Section 10.2. Administration.** The option for the Civil Service Commission to call upon independent Counsel at times it is necessary.
- **Section 10.5 Appointment of the Human Resources Director.** The opportunity for the Mayor to appoint one person to the hiring committee when the Human Resource Director position is to be filled.
- **Section 10.6 Duties of the Commission.** The requirement to update human resource and Civil Service policies and procedures, and the option to provide consultative services to other City departments.
- **Section 10.7 Veterans preference.** Removal of the term “war time” so that this section would apply to all military veterans.
- **10.8 - Duties of the Human Resources Director.** The requirement that Human Resource and Civil Service policies and procedures are reviewed annually. Any suggested changes or revisions are to be submitted to the Civil Service Commission and Administration.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 10 was discussed on:

- April 6, 2022 ; April 19, 2022 ; May 18, 2022 ; May 23, 2022 ; October 26, 2022 ; December 13, 2022 ; January 4, 2023 ; March 1, 2023 ; July 25, 2023

### What state laws apply to these sections?

While the whole Charter is informed by state and federal laws, not every section has a specific law attached to it. There are not state laws specifically referenced in Chapter 10.

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.1. Purpose.</b></p> <p>The purpose of this chapter is to <del>assure establish</del> a civil service system based on <del>benchmark</del> human resource policies, procedures, and practices for hiring, evaluating, promoting, training, and maintaining the most talented, qualified, skilled and knowledgeable personnel to work within the City. <del>merit principles and scientific methods, thereby providing the basis for establishing effective human resource policies and practices as guides to administrative action. All appointments and promotions to positions in the classified service shall be made from appropriate eligible registers of persons who have demonstrated their fitness in competitive examination for the positions sought to be filled.</del></p>	<p><b>Section 11.1. - Purpose.</b></p> <p>The purpose of this chapter is to establish a civil service system based on merit principles and scientific methods, thereby providing the basis for establishing effective human resource policies and practices as guides to administrative action. All appointments and promotions to positions in the classified service shall be made from appropriate eligible registers of persons who have demonstrated their fitness in competitive examination for the positions sought to be filled.</p>
<p><b>Section 10.2. Administration.</b></p> <p>There shall be established a Civil Service Commission of five members to administer the provisions of this chapter. The Commission shall appoint a Human Resources <del>Director-Administrator</del> in accordance with the terms of this Charter with the approval of the City Council who shall serve at the pleasure of the Commission. <del>The Commission may contract independent legal counsel.</del></p> <p>All officers and employees of the City shall grant to the Commission or its authorized representative free access to premises and records under their control and shall furnish them such facilities, assistance or information as may be required to carry out the provisions of this chapter.</p>	<p><b>Section 11.2. - Administration.</b></p> <p>There shall be established a Civil Service Commission of five members to administer the provisions of this chapter. The Commission shall appoint a Human Resources Administrator in accordance with the terms of this charter with the approval of the City Council who shall serve at the pleasure of the Commission.</p> <p>All officers and employees of the City shall grant to the Commission or its authorized representative free access to premises and records under their control and shall furnish them such facilities, assistance or information as may be required to carry out the provisions of this chapter.</p>

## CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION

*** 2023 Update ***	2007 Content
<p><b>Section 10.3. Appointment of the Commission. (Formerly section 11.3)</b></p> <p>Members of the Commission shall be appointed as follows: two members by the Mayor, two (2) by the Council, and the four (4) so chosen shall appoint the fifth (5th) member. At least two (2) of the five (5) members shall have a background in human resources or executive management experience. Not more than one (1) member shall be a former City employee. Members of the Commission shall be residents of the City, shall not be current City employees, and shall be sympathetic to merit principles as applied to public human resource policies and practices. Members of the Commission shall serve four-year terms without compensation. The Mayor shall not have authority to veto the Council's appointment to the Commission. Members of the Commission may only be removed in the manner provided in Section 5.14 of this Charter.</p>	
<p><b>Section 10.4. Three votes required to act. (Formerly section 11.4)</b></p> <p>Three (3) concurring votes shall be required for a decision of the Commission.</p>	

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.5. Appointment of the Human Resources Director.</b></p> <p>The Human Resources <del>Director Administrator</del> shall be trained and experienced in human resource administration. With the approval of the City Council, any vacancy in the position shall be filled by the Commission within <del>one (1) year ninety days after such vacancy occurs</del> from among the three (3) highest-rated candidates whose names appear on an employment list established as the result of an open competitive examination conducted by a committee of three qualified examiners, <del>two (2) appointed by the Commission and one (1) by the Mayor</del>. Each of the three (3) members of the examining committee shall be either (a) a responsible administrative officer of a civil service or central human resources agency administering a merit system in the federal government, in a state, or in a city, township, or a county of over seventy-five thousand (75,000) population, or (b) the director of human resources of a business or industrial establishment known to have an effective and well-rounded human resources program and which employs at least two thousand (2,000) employees, or (c) an educator in an accredited college or university. At least one (1) of the members of the examining committee shall fall in the first of the foregoing categories. The Human Resources <del>Director Administrator</del> shall be in the classified service and may be removed by the Civil Service Commission. The Human Resources <del>Director's Administrator's</del> salary shall be set by the Commission with approval of the City Council.</p>	<p><b>Section 11.5. - Appointment of the human resources administrator.</b></p> <p>The Human Resources Administrator shall be trained and experienced in human resource administration. With the approval of the City Council, any vacancy in the position shall be filled by the Commission within ninety days after such vacancy occurs from among the three highest-rated candidates whose names appear on an employment list established as the result of an open competitive examination conducted by a committee of three qualified examiners appointed by the Commission. Each of the three members of the examining committee shall be either (a) a responsible administrative officer of a civil service or central human resources agency administering a merit system in the federal government, in a state, or in a city, township, or a county of over seventy-five thousand population, or (b) the director of human resources of a business or industrial establishment known to have an effective and well-rounded human resources program and which employs at least two thousand employees, or (c) an educator in an accredited college or university. At least one of the members of the examining committee shall fall in the first of the foregoing categories. The Human Resources Administrator shall be in the classified service and may be removed by the Civil Service Commission. The Human Resources Administrator's salary shall be set by the Commission with approval of the City Council.</p>

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.6. Duties of the Commission.</b></p> <p>The Commission shall have the following duties:</p> <p>(a) <b>Represent</b> <del>representation of</del> the public interest in personnel administration in the City service;</p> <p>(b) <b>Provide human resource related consultative services to the Administration;</b></p> <p>(c) <b>Provide feedback and recommendations for change on Civil Service and human resources policies, procedures and rules, at least annually;</b></p> <p>(d) <b>Issue</b> <del>(b) Issuance of</del> an annual report and special reports upon the request of the Mayor or Council on the quality and status of human resource administration in City government and recommendation of improvements, including a review of national Human Resources best practices and Civil Service reforms;</p> <p>(e) <b>Enforce</b> <del>(c) Enforcement of</del> the merit principle in all aspects of human resources administration in the City, and consistent therewith, to receive, investigate and decide disputes between the City and its classified employees and to protect classified employees from political pressures;</p> <p>(f) <b>Maintain and revise</b> <del>(d) Maintenance and revision of</del> a classification plan based on the duties, authority and responsibilities of positions in the City service;</p>	<p><b>Section 11.6. - Duties of the commission.</b></p> <p>The Commission shall have the following duties:</p> <p>(a) Representation of the public interest in personnel administration in the City service;</p> <p>(b) Issuance of an annual report and special reports upon the request of the Mayor or Council on the quality and status of human resource administration in city government and recommendation of improvements, including a review of national Human Resources best practices and Civil Service reforms;</p> <p>(c) Enforcement of the merit principle in all aspects of human resources administration in the City, and consistent therewith, to receive, investigate and decide disputes between the City and its classified employees and to protect classified employees from political pressures;</p> <p>(d) Maintenance and revision of a classification plan based on the duties, authority and responsibilities of positions in the City service;</p>

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.6. Duties of the Commission.</b> <i>(continued)</i></p> <p>(g) Prepare <del>(e) Preparation of</del> a salary plan for the positions in the City service together with regulations for the administration of such plan. This suggested plan shall be submitted by the Civil Service Commission to the Council for approval and shall when adopted constitute the official salary plan for positions in the City service. This may include a plan for sick benefits;</p> <p>(h) Establish and assure <del>(f) Establishment of</del> implementation of policies and practices, governing full-time, temporary and emergency appointments to positions in the classified service and promotions therein, including the certification of the three highest-rated persons on the open competitive employment list for original entry to City service;</p> <p>(i) Establish and assure <del>(g) Establishment of</del> implementation of policies and practices regarding transfers within or between departments, promotions or demotions, performance ratings, training programs, health, welfare and recreation programs, leave provisions and other matters of human resources administration;</p> <p>(j) Establish and assure <del>(h) Establishment of</del> implementation of policies and practices governing the separation of employees from City service, including rejection of employees during the probationary period, layoffs due to lack of work or available funds, resignation, death, retirement or suspension for disciplinary purposes and dismissals for cause;</p>	<p><b>Section 11.6. - Duties of the commission.</b> <i>(continued)</i></p> <p>(e) Preparation of a salary plan for the positions in the City service together with regulations for the administration of such plan. This suggested plan shall be submitted by the Civil Service Commission to the Council for approval and shall when adopted constitute the official salary plan for positions in the City service. This may include a plan for sick benefits;</p> <p>(f) Establishment of policies and practices, governing full-time, temporary and emergency appointments to positions in the classified service and promotions therein, including the certification of the three highest-rated persons on the open competitive employment list for original entry to City service;</p> <p>(g) Establishment of policies and practices regarding transfers within or between departments, promotions or demotions, performance ratings, training programs, health, welfare and recreation programs, leave provisions and other matters of human resources administration;</p> <p>(h) Establishment of policies and practices governing the separation of employees from City service, including rejection of employees during the probationary period, layoffs due to lack of work or available funds, resignation, death, retirement or suspension for disciplinary purposes and dismissals for cause;</p>

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.6. Duties of the Commission.</b> <i>(continued)</i></p> <p>(k) Establish and assure <del>(i) Establishment of</del> implementation of policies and practices for appeals by classified employees to the Commission regarding proceedings or circumstances bearing upon the employment status or conditions of employment of such employees;</p> <p>(l) Establish and assure <del>(j) Establishment of</del> implementation of policies and practices governing the use of human resource records and forms containing the employment history of each officer and employee of the City. Such records and forms shall not be open to public inspection, except as required by law;</p> <p>(m) <del>(k)</del> Subject to an approved budget appropriation, <del>appointment</del> to the classified service such employees as may be necessary to assist the Human Resources <del>Director Administrator</del> in carrying out the provisions of this chapter, and the employment of such experts and special assistants as may be necessary to assist the Commission or the Human Resources <del>Director Administrator</del> in the performance of their duties;</p> <p>(n) Undertake such <del>(l) Undertaking of</del> other actions as may be necessary to carry out the provisions of this chapter;</p> <p>(o) <del>(m)</del> Adoption, amendment, and repeal of rules, with approval of the Mayor, necessary to carry out the foregoing duties of the Commission. The rules and amendments thereto shall promote the efficiency and good of the City service, improve employee morale and provide for the use of scientific personnel methods and standards which will assist in carrying out the provisions of this chapter;</p>	<p><b>Section 11.6. - Duties of the commission.</b> <i>(continued)</i></p> <p>(i) Establishment of policies and practices for appeals by classified employees to the Commission regarding proceedings or circumstances bearing upon the employment status or conditions of employment of such employees;</p> <p>(j) Establishment of policies and practices governing the use of human resource records and forms containing the employment history of each officer and employee of the City. Such records and forms shall not be open to public inspection, except as required by law;</p> <p>(k) Subject to an approved budget appropriation, appointment to the classified service of such employees as may be necessary to assist the Human Resources Administrator in carrying out the provisions of this chapter, and the employment of such experts and special assistants as may be necessary to assist the Commission or the Human Resources Administrator in the performance of their duties;</p> <p>(l) Undertaking of such other actions as may be necessary to carry out the provisions of this chapter;</p> <p>(m) Adoption, amendment and repeal of rules, with approval of the Mayor, necessary to carry out the foregoing duties of the Commission. The rules and amendments thereto shall promote the efficiency and good of the City service, improve employee morale and provide for the use of scientific personnel methods and standards which will assist in carrying out the provisions of this chapter.</p>



*** 2023 Update ***	2007 Content
<p><b>Section 10.6. Duties of the Commission.</b> <i>(continued)</i></p> <p>(p) Contract for such technical personnel services an independent counsel as may be necessary to the performance of the foregoing duties.</p>	<p><b>Section 11.6. - Duties of the commission.</b> <i>(continued)</i></p> <p>(No equivalent subsection in 2007 Charter)</p>
<p><b>Section 10.7. Veterans Preference.</b></p> <p><del>War</del> Veterans who have passed original entrance examinations for City service shall be awarded ten (10) additional points if they are not at that time eligible for disability compensation from United States Department of Veterans Affairs or any successor agency or fifteen (15) additional points if they are eligible for such compensation. Such veterans shall earn a place on the eligible register in accordance with their augmented scores. The term "veteran," as used herein, shall mean any person, or the unremarried surviving spouse of such person, who is credited by the United States government or any of its agencies with <del>war-time</del> military service for the purpose of determining eligibility for the federal civil service veterans preference, or who has been awarded a campaign badge for expeditionary military service.</p>	<p><b>Section 11.7. - Veterans preference.</b></p> <p>War veterans who have passed original entrance examinations for City service shall be awarded ten additional points if they are not at that time eligible for disability compensation from United States Department of Veterans Affairs or any successor agency or fifteen additional points if they are eligible for such compensation. Such veterans shall earn a place on the eligible register in accordance with their augmented scores. The term "veteran," as used herein, shall mean any person, or the unremarried surviving spouse of such person, who is credited by the United States government or any of its agencies with war time military service for the purpose of determining eligibility for the federal civil service veterans preference, or who has been awarded a campaign badge for expeditionary military service.</p>

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.8. Duties of the Human Resources Director administrator.</b></p> <p>The Human Resources <del>Director Administrator</del> shall:</p> <p>(a) Act as secretary to the Commission;</p> <p>(b) Review at least annually Civil Service and human resource policies and procedures and recommend changes to the Commission and Administration;</p> <p>(c) Carry out the functions necessary to fulfill the Human Resources provisions under the direction of the Commission;</p> <p>(d) Make annual reports of its activities to the Mayor, Council, and Commission and make such special reports as may be requested by the Mayor and Council.</p>	<p><b>Section 11.8. - Duties of the human resources administrator.</b></p> <p>The Human Resources Administrator shall act as secretary to the Commission, and shall carry out the functions necessary to fulfill the Human Resources provisions under the direction of the Commission.</p>
<p><b>Section 10.9. Unclassified Service and Classified Service. (Formerly section 11.9)</b></p> <p>The unclassified service shall comprise the offices and positions held by elected City officers, appointive officers, election inspectors, directors of departments except as provided in this charter, members of multi-member bodies, and part-time, provisional, seasonal, emergency, and temporary employees, and such other unclassified offices and positions as designated by the City Council. The classified service shall include all other positions, now existing or hereafter created, and the provisions of this chapter shall apply thereto.</p>	
<p><b>Section 10.10 Administration of Oaths. (Formerly section 11.10)</b></p> <p>For the purpose of administering the provisions of this chapter, any member of the Commission or the Human Resources <del>Director Administrator</del> shall have the power to administer oaths.</p>	

**CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION**

*** 2023 Update ***	2007 Content
<p><b>Section 10.11 Prohibitions.</b></p> <p>No person in the classified service or seeking admission thereto shall be appointed, promoted, demoted, dismissed, or in any way favored or discriminated against because of sex, race, national origin, political or religious opinions or affiliations, <b>or any other classification protected by law.</b> No person, officer or employee shall willfully or corruptly, individually or in cooperation with one or more persons, defeat, deceive or obstruct any person in respect to his/her right of examination, or corruptly or falsely mark, grade, estimate or report upon examination or proper standing of any person examined or aid in so doing, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, being appointed, employed, promoted or reinstated. No person seeking appointment to or promotion in the classified service of the City shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with the test, appointment, proposed appointment, promotion or proposed promotion.</p> <p>No member of the Commission shall continue in such office after becoming an officer of any political party <b>or a member of any local, state or national political party committee,</b> nor take any part in the management, operation or conduct of any political party or <b>political campaign.</b> Any person in the classified service violating any of the provisions of this section shall be subject to the disciplinary action of the Commission in addition to any</p>	<p><b>Section 11.11. - Prohibitions.</b></p> <p>No person in the classified service or seeking admission thereto shall be appointed, promoted, demoted, dismissed, or in any way favored or discriminated against because of sex, race, national origin, political or religious opinions or affiliations. No person, officer or employee shall willfully or corruptly, individually or in cooperation with one or more persons, defeat, deceive or obstruct any person in respect to his/her right of examination, or corruptly or falsely mark, grade, estimate or report upon examination or proper standing of any person examined or aid in so doing, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, being appointed, employed, promoted or reinstated. No person seeking appointment to or promotion in the classified service of the City shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with the test, appointment, proposed appointment, promotion or proposed promotion.</p> <p>No member of the Commission shall continue in such office after becoming an officer of any political party or a member of any local, state or national political party committee, nor take any part in the management, operation or conduct of any political party or political campaign. Any person in the classified service violating any of the provisions of this section shall be subject to the disciplinary action of the Commission in addition to any other penalties provided in this chapter.</p>

other penalties provided in this Charter chapter.	
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## CHAPTER 10. HUMAN RESOURCES AND THE CIVIL SERVICE COMMISSION

*** 2023 Update ***	2007 Content
<p data-bbox="203 394 1209 428"><b>Section 10.12 Certification of Payrolls <del>pay-rolls</del>. (Formerly section 11.12)</b></p> <p data-bbox="203 464 1365 558">The Human Resources <del>Director-Administrator</del> shall certify that the classified employees named in payroll vouchers are employed in accordance with this chapter and Commission policies and rules.</p> <p data-bbox="203 596 1406 693">No officer shall make or approve or take any part in making or approving any payment to any classified employee unless the payroll voucher bears the certification of the Human Resources <del>Director Administrator</del>.</p> <p data-bbox="203 730 1414 863">Any sum knowingly or wilfully paid contrary to this chapter or any Commission policy or rule may be recovered in an action brought by any person from any officer who made or approved the payment, or from the sureties on the official bond of the officer. All monies recovered shall be paid into the general fund of the City.</p> <p data-bbox="203 898 1401 995">If the Commission finds that the name of any classified employee has been omitted from any payroll <del>pay-roll</del>, the agency involved shall correct the payroll <del>pay-roll</del> and the classified employee shall be paid as directed by the Commission.</p>	
<p data-bbox="203 1031 974 1064"><b>Section 10.13 Labor Relations. (Formerly section 11.13)</b></p> <p data-bbox="203 1100 1419 1260">The Mayor shall have overall responsibility for the labor relations functions of the City. The Mayor shall designate the <del>Chief Labor Negotiator</del> for the City with the advice and consent of the Council. The <del>Chief Labor Negotiator</del> shall serve at the pleasure of the Mayor as negotiator and shall represent the City in collective bargaining. Collective bargaining contracts shall become effective when ratified by the City Council in accordance with law.</p>	

## CHAPTER 11. ELECTIONS.

### What is this chapter?

Chapter 11 ...

### What changed?

- Flexibility to respond to changing laws! Section 11.3 has been updated to ensure it remains consistent with any changes to election timing brought on by state laws.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 11 was discussed on:

- April 19, 2022 ; June 21, 2023 ; July 26, 2023

### What state laws apply to these sections?

- **Chapter 11. Elections.** State law references: Michigan election laws, MCL 168.1 et seq., MSA 6.1001 et seq.; mandatory that Charter provide for the time, manner and means of holding elections, MCL 117.3(c), MSA 5.2073(c).
- **Section 11.1 State Laws to Govern.** State law references: Michigan election laws, MCL 168.1 et seq., MSA 6.1001 et seq.
- **11.3 Nominating Petitions.** State Law reference— Mandatory that Charter provide for nominations of elective officers, MCL 117.3(b), MSA 5.2073(b). Michigan election laws, MCL 168.644(f)
- **11.6 Nonpartisan elections.** State law references: Nonpartisan nominating petitions, MCL 168.544a, MSA 6.1544(1).

## CHAPTER 11. ELECTIONS

*** 2023 Update ***	2007 Content
<p><b>Section 11.1. State Laws to Govern. (Formerly section 12.1)</b></p> <p>The election laws of the state shall apply to and control all procedure relating to the qualifications and registration of electors and nomination of candidates for elective offices in the City, and to the conduct of primary, regular and special City elections.</p>	
<p><b>Section 11.2. Record of Nominating Petitions. (Formerly section 12.2)</b></p> <p>The Clerk shall keep a record of all persons who request nominating petitions for elective offices in the City, and shall keep a record of the persons on whose behalf nominating petitions are requested.</p>	
<p><b>Section 11.3. Nominating Petitions.</b></p> <p>The nomination of candidates for elective offices in the City shall be by nominating petitions therefor signed by not less than one hundred (100) or more than two hundred (200) registered electors of the City. Nominating petitions shall be filed with the City Clerk <b>by the date and time as required by law.</b></p>	<p><b>Section 12.3. - Nominating petitions.</b></p> <p>The nomination of candidates for elective offices in the City shall be by nominating petitions therefor signed by not less than one hundred or more than two hundred registered electors of the City. Nominating petitions shall be filed with the City Clerk by 4 p.m. on the twelfth Tuesday prior to the primary election.</p>
<p><b>Section 11.4. Election Commission. (Formerly section 12.4)</b></p> <p>The Election Commission shall have charge of all activities and duties required of it by law, and shall consist of the Clerk, who shall chair the Commission, the Corporation Counsel and a private person appointed by the Council for a term to expire <b>June 30, 2010</b> <del>Thirtieth, Two Thousand and Ten</del> and every four (4) years thereafter.</p>	
<p><b>Section 11.5. Primary and General Elections. (Formerly section 12.5)</b></p> <p>A City primary election, when required by state law, shall be held on the Tuesday following the first (1st) Monday in August in each year in which a regular City election is held.</p> <p>The City general election shall be held on the first (1st) Tuesday following the first (1st) Monday in November 2009 and every four (4) years thereafter.</p>	
<p><b>Section 11.6. Nonpartisan Elections. (Formerly section 12.6)</b></p> <p>All City elections shall be nonpartisan.</p>	
<p><b>Section 11.7. Political Material Prohibited on City Property. (Formerly section 12.7)</b></p>	

No sign, literature or other political material which advocates a candidate or cause may be attached to any City property nor distributed within **one hundred (100)** feet of a City building entrance.



## CHAPTER 12. FINANCE AND TAXATION.

### What is this chapter?

Chapter 12 covers the annual budget and property tax processes and sets the maximum tax rate that City Council can levy.

### What changed?

- The language was updated to reflect the actual processes.
- Section 12.6 allows for contingency budget to be transferred for the intended purpose.
- Section 12.7 provides for budgeting supplemental revenues that become available during the year to be recognized and available for spending. Typically this involves grants or other contributions that were not identified during the standard budget process.
- Section 12.9 clarifies that the completed audit is to be formally filed with the City Council and made conveniently available to the public on the internet.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 12 was discussed on:

- May 18, 2022 ; May 23, 2022 ; June 1, 2022 ; July 6, 2022 ; August 24, 2022 ; September 28, 2022 ; October 19, 2022 ; July 26, 2023

### What state laws apply to these sections?

- **Section 12.3 Preparation of the Budget.** State law references: Uniform budgeting and accounting, MCL 141.421 et seq., MSA 5.3228(21) et seq.; mandatory that Charter provide for an annual appropriation, MCL 117.3(h), MSA 5.2073(h).
- **Section 12.8 Assessment rolls.** State law references: Mandatory that Charter provide for preparation of assessment roll, MCL 117.3(i), MSA 5.2073(i); assessment roll, MCL 211.24 et seq., MSA 7.24 et seq.
- **Section 12.9 Board of review.** State law references: Mandatory Charter provides for a board of review, MCL 117.3(a), MSA 5.2073(a).
- **Section 12.10 Assessment of taxes.** State law references: Completion of review of assessments prior to first Monday in April required, MCL 211.30a, MSA 7.30(1).
- **Section 12.12 Collection of taxes.** State law references: Collection of taxes, MCL 211.44 et seq., MSA 7.87 et seq.
- **Section 12.14 tax collection procedures.** State law references: Mandatory Charter provides for levy, collection and return of state, county and school taxes, MCL 117.3(i), MSA 5.2073(i).
- **Section 12.15 Borrowing in anticipation of taxes.** State law references: City authority to borrow money on the credit of the City and issue bonds therefore, MCL 117.4a(1) and 141.2405(2), MSA 5.2074(1).

- **Section 12.18 Certification of contracts.** State law references: Restriction on making contracts with persons in default to city, MCL 117.5(f), MSA 5.2084(f).

## CHAPTER 12. FINANCE AND TAXATION.

*** 2023 Update ***	2007 Content
<p><b>Section 12.1. Fiscal Year. (Formerly section 13.1)</b></p> <p>The fiscal year of the City shall be the first (1st) day of July through the thirtieth (30th) day of June of the following year unless set otherwise by City Council to coincide with the State or Federal fiscal year.</p>	
<p><b>Section 12.2. Limitation on Taxation. (Formerly section 13.2)</b></p> <p>The Council shall have the power to and shall raise annually by taxation, such sum of money as may be necessary to defray the general expenses and liabilities of the City and to carry into effect the powers in this Charter granted, subject to the limitations of this section. The total tax rate limitation in any fiscal year, beginning July 1, 2008, for municipal purposes shall not exceed sixteen (16) mills on all the taxable real and personal property in the City, according to the assessment roll last confirmed prior to the beginning of such fiscal year, as such tax rate may be reduced from time to time by operation of law; provided that the total amount of all taxes which the Council shall have the power to raise in any fiscal year for municipal purposes shall not exceed the lesser of the foregoing rate, as reduced from time to time or fifteen (15) mills on all the taxable real and personal property in the City, according to the assessment roll last confirmed prior to the beginning of such fiscal year.</p>	
<p><b>Section 12.3. Preparation of the Budget. (Formerly section 13.3)</b></p> <p>The preparation of the annual budget shall be under the direction of the Mayor and the Treasurer and shall contain such items as are required by law. The budget shall be prepared and submitted to the Council in a manner and at such time as the Council shall determine. The proposed budget shall show the amount for each item of the budget, the amount budgeted for each item of the current fiscal year, and the amount actually expended or received for each item of the just completed fiscal year.</p>	
<p><b>Section 12.4. Council Consideration of the Budget. (Formerly section 13.4)</b></p> <p>Within the limits of taxation provided in this charter, the Council may revise, alter, increase or decrease the budget submitted by the Mayor. The budget may provide for a contingency reserve appropriation of no more than three percent (3%) of the annual estimated revenues. The budget shall provide all sums necessary for payment of bonds and the interest thereon. The Mayor and the departments shall provide the Council access to all persons and information necessary for budget deliberations as the Council may direct. The Council shall hold a public hearing on the proposed budget each year prior to its adoption.</p> <p>Within fifteen (15) days of the adoption of the budget by the Council, the Mayor shall have the power to veto the entire budget, or any item therein, and shall return the budget to the Council for its consideration of any part of the budget that shall have been vetoed. Within ten (10) days after the receipt of the veto, the Council shall reconsider any part of the budget that has been vetoed. If five (5) members of the Council shall vote to override the veto as to the whole</p>	

or any part of the budget, the Council's decision shall be final. The Council shall consider each veto separately.

**CHAPTER 12. FINANCE AND TAXATION.**

*** 2023 Update ***	2007 Content
<p><b>Section 12.5. Determining the Tax Levy.</b></p> <p>When the budget is adopted, the Treasurer shall make an itemized statement of the amounts to be raised by taxation and shall report the same to the Council. The Council shall by resolution set the amounts of money to be raised by taxation in the next fiscal year and shall inform the Assessor thereof.</p>	
<p><b>Section 12.6. Budget Transfers.</b></p> <p>Neither the Council or any other officer or agency of the City shall have the authority to transfer budgeted funds from one departmental budget to another. <b>Council may reallocate non-departmental contingency budget by resolution.</b></p>	<p><b>Section 13.6. - Budget transfers.</b></p> <p>Neither the Council or any other officer or agency of the City shall have the authority to transfer budgeted funds from one departmental budget to another.</p>
<p><b>12.7 Supplemental Appropriations.</b></p> <p>An emergency appropriation may be made by the Council <b>from the fund balance (or retained earnings for proprietary funds) to provide for unforeseen and unusual expenditures or unanticipated budget shortfalls.</b> <del>from the contingency reserve within the general fund when any budgeted appropriation shall be exhausted.</del></p> <p>Emergency appropriations shall be made by a vote of at least five council members and shall not be subject to veto. <b>The Council may establish revenue budget estimates and appropriations during the year when new sources of income become available. This new revenue may be from a grant, private sources, or other supplemental income source. Appropriations from the contingency reserve may be made to provide for unforeseen and unusual expenditures.</b></p>	<p><b>Section 13.6. - Budget transfers.</b> <i>(Continued)</i></p> <p>An emergency appropriation may be made by the Council from the contingency reserve within the general fund when any budgeted appropriation shall be exhausted.</p> <p>Emergency appropriations shall be made by a vote of at least five council members and shall not be subject to veto. Appropriations from the contingency reserve may be made to provide for unforeseen and unusual expenditures.</p>

**CHAPTER 12. FINANCE AND TAXATION.**

*** 2023 Update ***	2007 Content
<p><b>Section 12.8. Assessment Rolls. (Formerly section 13.7)</b></p> <p>The Assessor shall be responsible for the preparation of the assessment roll of all property in the City to be assessed.</p>	
<p><b>Section 12.9. Board of Review. (Formerly section 13.8)</b></p> <p>There shall be a Board of Review established in accordance with law consisting of three (3) persons experienced in real property values: one (1) member to be appointed by the Council, one (1) member to be appointed by the Mayor, and the third (3rd) member to be appointed by the Treasurer. The Mayor may appoint an alternate member to be a private person experienced in real property values. The Board of Review shall meet in the council room on dates determined by the Council or as otherwise required by law at times convenient to the general public. At least one (1) evening session shall be held. Notice of the meetings of the Board of Review shall be made by the Clerk at least ten (10) days prior to the first meeting of the Board of Review in the manner required by law. Changes in the assessment rolls made by the Board of Review shall be communicated to the Assessor and the assessment rolls corrected accordingly. The Assessor or deputy shall attend all meetings of the Board of Review.</p>	
<p><b>Section 12.10. Assessment <del>and collection</del> of Taxes.</b></p> <p>Following the review of the assessment rolls by the Board of Review, the Assessor shall spread thereon all taxes to be collected by the City in accordance with law. Thereafter, the Assessor shall certify the rolls and the budget to the Treasurer, who shall apportion tax monies collected to the various funds provided in the budget.</p>	<p><b>Section 13.9. - Assessment and collection of taxes.</b></p> <p>Following the review of the assessment rolls by the Board of Review, the Assessor shall spread thereon all taxes to be collected by the City in accordance with law. Thereafter, the Assessor shall certify the rolls and the budget to the Treasurer, who shall apportion tax monies collected to the various funds provided in the budget.</p>
<p><b>Section 12.11. Reappraisal and Reassessment. (Formerly section 13.10)</b></p> <p>All property in the City subject to general ad valorem taxation shall be reappraised and reassessed according to State laws.</p>	

**CHAPTER 12. FINANCE AND TAXATION.**

*** 2023 Update ***	2007 Content
<p><b>Section 12.12. Collection of Taxes, when due.</b></p> <p>Except for installment payments, property taxes shall be paid without penalty on or before the fourteenth (14th) day of September each year. A person liable for taxes on any property may pay such taxes in three (3) equal installments, the first (1st) being due on or before the fourteenth (14th) day of September; the second (2nd) being due on or before the fourteenth (14th) day of November; the third (3rd) being due on or before the fourteenth (14th) day of January of the fiscal year in which the tax is payable, without penalty or interest thereon provided such payments are made when specified herein.</p>	<p><b>Section 13.11. - Taxes, when due.</b></p> <p>Except for installment payments, property taxes shall be paid without penalty on or before the fourteenth day of September each year. A person liable for taxes on any property may pay such taxes in three equal installments, the first being due on or before the fourteenth day of September; the second being due on or before the fourteenth day of November; the third being due on or before the fourteenth day of January of the fiscal year in which the tax is payable, without penalty or interest thereon provided such payments are made when specified herein.</p>
<p><b>Section 12.13. Tax Penalties, Fees, and Interest. (Formerly section 13.12)</b></p> <p>All tax penalties, fees and interest shall be as established by the Council and when received by the City shall be placed in the general fund.</p>	
<p><b>Section 12.14. Tax Collection Procedures. (Formerly section 13.13)</b></p> <p>Procedures for collection of taxes by the City, including requirements for notice of taxes due, shall be governed by law. The Treasurer shall be empowered to take any action necessary and lawful for the collection of taxes. All taxes shall become a lien on the property assessed at the time they are levied and until they are paid.</p>	
<p><b>Section 12.15. Borrowing in Anticipation of Taxes.</b></p> <p>The City may borrow in anticipation of collection of taxes for the same or next succeeding fiscal year, such sums as may be permitted by law. Money so borrowed in accordance with this section shall be repaid from such taxes when collected.</p>	<p><b>Section 13.14. - Borrowing in anticipation of taxes.</b></p> <p>The City may borrow in anticipation of collection of taxes for the same or next succeeding fiscal year, such sums as may be permitted by law. Money so borrowed shall be repaid from such taxes when collected.</p>
<p><b>Section 12.16. Expenditures Procedures. (Formerly section 13.15)</b></p> <p>No money may be disbursed from the treasury except in pursuance of an appropriation by the Council and upon the approval of the Treasurer. Disbursements shall specify the fund from</p>	

which it is payable and shall not be paid from any other fund. No disbursement shall be drawn upon the treasury after the fund from which it should be paid has been exhausted.

**CHAPTER 12. FINANCE AND TAXATION.**

*** 2023 Update ***	2007 Content
<p><b>Section 12.17. Bidding and Purchasing Procedures. (Formerly section 13.16)</b></p> <p>The Council shall, by ordinance, establish procedures to protect the interest of the City and to assure fairness in procuring or the sale of property and services</p>	
<p><b>Section 12.18. Certification of Contracts. (Formerly section 13.17)</b></p> <p>The Treasurer shall encumber the amount of all purchase orders at the time of their issuance and shall certify that funds are available to make payments required by any proposed contract before the City becomes a party thereto.</p>	
<p><b>Section 12.19. Independent Audit.</b></p> <p>The Council shall provide for an independent audit of all accounts of the City within thirty (30) days of the end of each fiscal year. The audit may also include the amounts of the District Court. The audit shall be conducted by certified public accountants experienced in municipal accounting and shall be completed and filed with the City Council within six (6) months of the close of each fiscal year. Copies of the audit shall be placed in all public libraries in the City and on the City's Website.</p>	<p><b>Section 13.18. - Independent audit.</b></p> <p>The Council shall provide for an independent audit of all accounts of the City within thirty days of the end of each fiscal year. The audit may also include the amounts of the District Court. The audit shall be conducted by certified public accountants experienced in municipal accounting and shall be completed within six months of the close of each fiscal year. Copies of the audit shall be placed in all public libraries in the City.</p>



## CHAPTER 13. PUBLIC IMPROVEMENTS.

### What is this chapter?

Chapter 13 provides for the advance public disclosure of major public improvements such as expanding the infrastructure or construction of a new municipal building. This allows for the public to voice support or concerns to the elected officials prior to voting to approve or deny the proposal.

### What changed?

- Nothing! This chapter has served Dearborn well, and will continue to in the future.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 13 was discussed on:

- May 23, 2022 ; June 21, 2023

### What state laws apply to these sections?

While the whole Charter is informed by state and federal laws, not every section has a specific law attached to it. There are not state laws specifically referenced in Chapter 14.

*** 2023 Update ***	2007 Content
<p><b>Section 13.1. General Authority to Acquire or Dispose of Public Improvements. (Formerly section 14.1)</b></p> <p>The City may acquire, extend or alter by any means permitted by law, any public improvement necessary for the public health, safety and welfare.</p>	
<p><b>Section 13.2. Acquiring and Disposing of Public Utility. (Formerly section 14.2)</b></p> <p>The City may not acquire or dispose of any public utility unless approved by three-fifths of the electors of the City voting thereon.</p>	
<p><b>Section 13.3. Public Disclosure of Costs of Public Improvements. (Formerly section 14.3)</b></p> <p>Prior to a vote of the Council or the electorate upon the acquisition, extension, alteration or disposal of any public improvements, the Council shall direct the preparation of and shall receive and publish an estimate of the cost of the construction, acquisition or disposal and shall determine in what manner and from what funds the cost of the public improvement shall be paid and shall require an estimate to be prepared of the cost of operating the public improvement for the following three years.</p>	

## CHAPTER 14. SPECIAL ASSESSMENTS.

### **What is this chapter?**

Chapter 14 is the process for levying a tax assessment for a specific purpose or geographic area in which there is a direct benefit and not necessarily a benefit for all.

### **What changed?**

- Nothing! Chapter 15 has continued to serve the city of Dearborn and no updates were needed.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 14 was discussed on:

- May 23, 2022 ; June 1, 2022 ; October 19, 2022 ; June 21, 2023

### **What state laws apply to these sections?**

- **Chapter 14. Special assessments.** \*State law references: Power re assessments, MCL 117.4a, 117.4b, 117.4d, 117.5; MSA 5.2074, 5.2075, 5.2077, 5.2084.
- **Section 14.1 Power to make special assessments.** State law references: Permissible that Charter provide for assessing costs of public improvements, MCL 117.4d, MSA 5.2077.
- **Section 14.3 Objections to proposed improvement.** State-Law reference - Tax Tribunal Act, MCL 205.735
- **Section 14.6 Limitations on objections of special assessments.** State law references: Tax Tribunal Act, MCL 205.735(a)(b).

## CHAPTER 14. SPECIAL ASSESSMENTS.

*** 2023 Update ***	2007 Content
<p><b>Section 14.1. Power to Make Special Assessments. (Formerly section 15.1)</b></p> <p>The City shall have the power to make special assessments for public improvements and other purposes in accordance with law. Special assessments shall be made on a pro rata basis according to the benefit to be derived by affected property owners within each special assessment district. That portion of the benefit to be derived from each public improvement that shall accrue to the general public and not to individual property owners shall be determined by the Council prior to the levy of a special assessment, and that percentage of the cost of the public improvement shall be paid by taxpayers of the City at large. The method of determining the special assessments in each district shall be in accordance with applicable legal requirements, and the City shall have the authority to adjust any unjust, incorrect or inequitable special assessment. The Assessor shall certify the special assessment rolls as lawfully prepared, and such rolls shall be open to public inspection during regular business hours.</p>	
<p><b>Section 14.2. Review of Special Assessment Roll. (Formerly section 15.2)</b></p> <p>A meeting of the Council to review each special assessment roll and to hear objections to the special assessments shall be held. The Assessor or deputy shall attend any such meeting. The public notice of such a meeting shall advise all persons having objections to the special assessment roll that objections must be filed with the Clerk in writing at/or prior to the meeting of the Council. In either event, objections will be considered at the meeting of the Council. All affected property owners shall be notified of the proposed special assessment against their properties by mail at least fifteen (15) days prior to the meeting of the Council.</p>	
<p><b>Section 14.3. Objections to Proposed Improvement. (Formerly section 15.3)</b></p> <p>If, at or prior to the meeting of the Council to review the special assessment roll, owners of more than fifty percent of the assessed value of privately owned property to be assessed, or in the case of paving or similar improvements, owners of more than fifty percent of the frontage to be assessed shall object in writing to the proposed improvement, the special assessment may not be made unless it is supported by five members of the Council.</p>	
<p><b>Section 14.4. Confirmation of Special Assessment Roll. (Formerly section 15.4)</b></p> <p>Following the public meeting of the Council at which the special assessment roll is reviewed, the Council may make such corrections and changes in the special assessment roll as it determines to be necessary or appropriate. All owners of property affected by such corrections and changes shall be notified in the same manner required for the original assessment and the same procedure required for review by the Council of the original assessments shall be used in reviewing the corrections and changes. When all corrections and changes in the special assessment roll have been made and reviewed by the Council, the Council shall confirm the special assessment roll by the required vote and shall notify the Treasurer. The Treasurer shall determine the amount of the special assessments, or</p>	

installment payments thereon, for each property assessed, and shall file a list of such assessments and installment payments with the Clerk.

**CHAPTER 14. SPECIAL ASSESSMENTS.**

*** 2023 Update ***	2007 Content
<p><b>Section 14.5. Special Assessments as Lien. (Formerly section 15.5)</b></p> <p>Special assessments shall constitute a lien upon the properties assessed from the date of confirmation until paid, and shall be of the same character and priority as to City taxes. All assessments or installments thereof which shall be unpaid and delinquent on the first Tuesday in May of each year, and which shall not have been previously reassessed by the Council upon the general tax roll, shall on the said first Tuesday in May of each year be reported to the Council by the Treasurer as delinquent and the Council shall order the amount due, including penalties and interest to the first day of August of such year, to be reassessed and spread by the assessor upon the general tax roll for such year with such information as may be required by law; and said special assessment shall then be collected and paid as provided in collecting City taxes.</p>	
<p><b>Section 14.6. Limitation on Objections of Special Assessments. (Formerly section 15.6)</b></p> <p>An objection of any special assessment made in accordance with this charter shall be legally barred unless timely instituted in accordance with law.</p>	
<p><b>Section 14.7. Payment of Installments. (Formerly section 15.7)</b></p> <p>The Council shall set the number of annual installments of any special assessment, which shall not exceed <b>thirty (30)</b>, and terms of payment of special assessments and the interest to be paid thereon.</p>	
<p><b>Section 14.8. Default on Special Assessments. (Formerly section 15.8)</b></p> <p>When any payment on a special assessment is in default, the Treasurer may take whatever legal action is necessary to collect the payment.</p>	
<p><b>Section 14.9. Additional Assessments and Refunds. (Formerly section 15.9)</b></p> <p>Bonds may be issued to pay the costs of improvements in a special assessment district. Should any special assessment prove insufficient to pay for the improvement or work or to retire the bonds issued therefore, the Council may, in the same manner provided for original special assessments, make an additional assessment to supply the deficiency. When a special assessment yields a larger amount than is necessary to pay for the improvement or to retire bonds issued therefor, and if the excess is less than five percent <b>(5%)</b>, the Council may place the excess in the City general fund, but if the excess is more than five percent <b>(5%)</b>, the Council shall order a pro rata refund to property owners of record.</p> <p>Should any special assessment, or proceedings therefore, be held invalid by a court or by the Council, the Council may order a reassessment for the same purposes as the original special assessment and in the same manner provided for original special assessments. Any sums paid prior to the invalidation of the special assessments shall be credited to the new assessments.</p>	



*** 2023 Update ***	2007 Content
<p><b>Section 14.10. Special Assessments for Legally Rendered City Services.</b></p> <p>The Council may levy a special assessment against any parcel of land in order to recover the cost of providing any City service or making any necessary improvement including but not limited to sidewalks, lighting, nuisance abatement, and parking lot maintenance and improvements. The Council shall not make such assessment unless the affected taxpayer or predecessor taxpayers have been notified of the providing of such service or the making of such improvement.</p>	<p><b>Section 15.10. - Special Assessments for Legally Rendered City Services.</b></p> <p>The Council may levy a special assessment against any parcel of land in order to recover the cost of providing any City service or making any necessary improvement including but not limited to sidewalks, lighting, nuisance abatement, parking lot maintenance and improvements. The Council shall not make such assessment unless the affected taxpayer or predecessor taxpayers have been notified of the providing of such service or the making of such improvement.</p>

## CHAPTER 15. BONDS.

### **What is this chapter?**

Chapter 15 allows for the City to issue bonds consistent with State law. Bonds are typically issued for large infrastructure or capital projects, and debt restructuring.

### **What changed?**

Nothing! Chapter 15 has continued to serve the city of Dearborn and no updates were needed.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 15 was discussed on:

- My 23, 2022 ; June 1, 2022 ; June 22, 2022 ; October 26, 2022 ; July 26, 2023

### **What state laws apply to these sections?**

- **Chapter 15 Bonds.** State law references: Municipal finance act, MCL 131.1 et seq., MSA 5.3188(1) et seq.
- **Section 15.1 Issuance of bonds.** State law references: City authority to borrow money on the credit of the city and issue bonds therefore, MCL 117.4a(1), MSA 5.2074(1).
- **Section 15.4 Special assessment bonds.** State law references: City authority to borrow money and issue bonds therefor in anticipation of the payment of special assessments, MCL 117.4a(2), MSA 5.2074(2).



## CHAPTER 15. BONDS.

*** 2023 Update ***	2007 Content
<p><b>Section 15.1. Issuance of Bonds. (Formerly section 16.1)</b></p> <p>The City may, within the limits provided by law, authorize the borrowing of money for any purpose within the scope of the powers vested in the City; and may provide for the issuance of bonds of the City or other evidence of indebtedness therefore; and may pledge the full faith, credit, and resources of the City for the payment of the obligations created thereby.</p>	
<p><b>Section 15.2. Proceeds of Bonds. (Formerly section 16.2)</b></p> <p>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 to use the proceeds for any other purpose, provided 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 is made the Council shall use such unexpended and unencumbered funds for the retirement of said bond issue. The remaining funds shall be deposited in the general fund of the City as provided by law.</p>	
<p><b>Section 15.3. Emergency Bonds. (Formerly section 16.3)</b></p> <p>In case of fire, flood or other calamity, the Council may issue emergency bonds in accordance with law, which may be general obligations of the City, to provide relief for the residents of the City, and for the preservation or restoration of municipal property.</p>	
<p><b>Section 15.4. Special Assessment Bonds. (Formerly section 16.4)</b></p> <p>The Council may provide for the borrowing of money and issuing of bonds in anticipation of the payment of the special assessments, or in anticipation of the payment of any combination of special assessments. Such special assessment bonds may be an obligation of the special assessment district, or may be both an obligation of the special assessment district and a general obligation of the City as provided by law. All collections on each special assessment roll or combination of rolls, to the extent that the same are pledged for the payment of the principal of and interest on bonds issued in anticipation of the payment thereof, shall be set apart in a separate fund for the payment of such principal and interest and shall be used for no other purpose.</p>	

## CHAPTER 16. RETIREMENT PLANS.

### **What is this chapter?**

Chapter 16 provides for employee retirement programs which typically arise from labor negotiations with employee labor groups.

### **What changed?**

Labor negotiations produced many retirement program changes since the last Charter Commission with the closing of the traditional defined benefit programs that were replaced by defined contribution programs. The language was updated to reflect the current status of the defined benefit Pension Boards, removal of obsolete language, and the process for managing the pension systems when board seats are unable to be filled. The language was also updated to reflect the closed post-employment health care system.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 16 was discussed on:

- June 1, 2022 ; June 22, 2022 ; October 26, 2022 ; July 25, 2023

### **What state laws apply to these sections?**

- **Section 16.3 Governing bodies.** State Law reference— [PA 279 of 1909, MCL117.4j; The Home Rule City Act]

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.1. Establishment and Closing of retirement plans.</b></p> <p>The three retirement plans of the City shall continue in existence <b>until all benefit obligations are fulfilled and are closed to new entrants.</b> The accrued financial benefits of active and retired City employees, being contractual obligations of the City, shall in no event be diminished or impaired. Financial benefits arising on account of services rendered in each fiscal year shall be funded during that year and that funding shall not be used for financing unfunded accrued liabilities.</p> <p><b>(1) City of Dearborn Policemen’s and Fireman’s Retirement System (Chapter 21)</b>  <b>(2) City of Dearborn Employees Retirement System (Chapter 22)</b>  <b>(3) City of Dearborn Police and Fire Revised Retirement System (Chapter 23)</b></p> <p><b>Defined contribution retirement programs were established for full-time employees. Police and Fire employees also have the option to select a Municipal Employees’ Retirement System defined benefit program. The provisions of these plans shall be consistent with governing laws and corresponding agreements.</b></p> <p>Retirement plans and benefits are subject to collective bargaining. Pursuant to state law, collectively bargained agreements supersede Charter provisions. Subject to the protections set forth in the Michigan Constitution, benefits for employees not subject to a collective bargaining agreement are as adopted by and may be modified from time to time by City Council.</p>	<p><b>Section 17.1. - Establishment of retirement plans.</b></p> <p>The three retirement plans of the City shall continue in existence. The accrued financial benefits of active and retired City employees, being contractual obligations of the City, shall in no event be diminished or impaired. Financial benefits arising on account of services rendered in each fiscal year shall be funded during that year and that funding shall not be used for financing unfunded accrued liabilities.</p> <p>Retirement plans and benefits are subject to collective bargaining. Pursuant to state law, collectively bargained agreements supersede Charter provisions. Subject to the protections set forth in the Michigan Constitution, benefits for employees not subject to a collective bargaining agreement are as adopted by and may be modified from time to time by City Council.</p>

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.2. Changes in retirement benefits.</b></p> <p>The Council shall by ordinance adopt the benefit schedules, terms and conditions for the City's retirement plans and may include the revision of benefits for those employees who have already retired or their beneficiaries who are eligible for City pension benefits. Before final action on any proposed change in retirement benefits is taken, the Council shall obtain a report as to the immediate and long-term costs of the change from a qualified actuary of its choosing. <b>The Council shall provide the report to the pension board within 30 days of receipt. and The Council</b> may not take final action until at least three months after the report of the actuary is made public at a meeting of the Council.</p>	<p><b>Section 17.2. - Changes in retirement benefits.</b></p> <p>The Council shall by ordinance adopt the benefit schedules, terms and conditions for the City's retirement plans and may include the revision of benefits for those employees who have already retired or their beneficiaries who are eligible for City pension benefits. Before final action on any proposed change in retirement benefits is taken, the Council shall obtain a report as to the immediate and long-term costs of the change from a qualified actuary of its choosing and may not take final action until at least three months after the report of the actuary is made public at a meeting of the Council.</p>
<p><b>Section 16.3. Governing bodies.</b></p> <p>Not more than <del>three</del> <b>four</b> governing bodies for administering the City's retirement systems may be established. The governing bodies shall have all powers necessary to administer the retirement <del>plans systems</del>. The Treasurer shall be treasurer of the retirement systems, shall serve as secretary to <del>pension systems'</del> <b>retirement system</b> Boards of Trustees, and shall maintain the financial and membership records of the <del>pension retirement</del> systems. The governing bodies shall appoint an attorney, who may be the Corporation Counsel, to serve as legal advisor to the Board. The governing bodies shall appoint an actuary who shall be the technical advisor to the governing bodies. <b>Members Except as provided in this chapter of the Charter, Trustees</b> of the governing bodies shall serve without compensation. The Mayor's and Council's appointees shall serve terms equal to the appointing authority's term of office. The terms of the other <del>members trustees</del> of the governing bodies shall be as established in this chapter. Existing terms of <del>members trustees</del> shall continue in accordance with the terms of</p>	<p><b>Section 17.3. - Governing bodies.</b></p> <p>Not more than three governing bodies for administering the City's retirement plans may be established. The governing bodies shall have all powers necessary to administer the retirement systems. The Treasurer shall be treasurer of the retirement systems, shall serve as secretary to the pension systems' Boards of Trustees, and shall maintain the financial and membership records of the pension systems. The governing bodies shall appoint an attorney, who may be the Corporation Counsel, to serve as legal advisor to the Board. The governing bodies shall appoint an actuary who shall be the technical advisor to the governing bodies. Members of the governing bodies shall serve without compensation. The Mayor and Council appointees shall serve terms equal to the appointing authority's term of office. The terms of the other members of the governing bodies shall be as established in this chapter. Existing terms of members shall continue in accordance with the terms of their original election or appointment. All meetings of the governing bodies shall be held in accordance with the</p>

<p>their original election or appointment. All meetings of the governing bodies shall be held in accordance with the Open Meetings Act.</p>	<p>Open Meetings Act.</p>
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**CHAPTER 16. RETIREMENT PLANS.**

<p><b>*** 2023 Update ***</b></p>	<p><b>2007 Content</b></p>
<p><b>Section 16.4. Membership; administration.</b></p> <p>(A) The membership of the Policemen's and Firemen's Retirement System shall include police and fire employees, other than temporary or civilian employees, who were employed by the City prior to July 1, 1956 <del>first, Nineteen Hundred and Fifty-Six. Chapter 21 was permanently closed to new entrants June 30, 1956. The administration of the System shall be vested in a Board of Trustees which shall consist of seven members, as follows:</del></p> <p><del>— 1. The Mayor of the City shall appoint a person who shall serve as chairperson.</del></p> <p><del>— 2. The City Council shall appoint a person who shall serve as vice-chairperson.</del></p> <p><del>— 3. The Mayor shall appoint, with the confirmation of the Council, a citizen who is an elector in the City and who is not an employee of the City and who is not eligible to receive benefits under the Retirement System. The citizen-member term shall be three years.</del></p> <p><del>— 4. Two active policemen who are members of the Retirement System to be elected by the policemen members of the Retirement System for a period of three years.</del></p> <p><del>— 5. Two active firemen who are members of the Retirement System to be elected by the firemen members of the Retirement System for a period of three years.</del></p> <p><del>Each trustee shall be entitled to one vote in the meetings of the Board. Five members of the Board shall constitute a quorum. At least five concurring votes shall be necessary for a decision by the trustees at any meeting of the</del></p>	<p><b>Section 17.4. - Membership; administration.</b></p> <p>(A) The membership of the Policemen's and Firemen's Retirement System shall include police and fire employees, other than temporary or civilian employees, who were employed by the City prior to July first, Nineteen Hundred and Fifty-Six. The administration of the System shall be vested in a Board of Trustees which shall consist of seven members, as follows:</p> <ol style="list-style-type: none"> <li>1. The Mayor of the City shall appoint a person who shall serve as chairperson.</li> <li>2. The City Council shall appoint a person who shall serve as vice-chairperson.</li> <li>3. The Mayor shall appoint, with the confirmation of the Council, a citizen who is an elector in the City and who is not an employee of the City and who is not eligible to receive benefits under the Retirement System. The citizen-member term shall be three years.</li> <li>4. Two active policemen who are members of the Retirement System to be elected by the policemen members of the Retirement System for a period of three years.</li> <li>5. Two active firemen who are members of the Retirement System to be elected by the firemen members of the Retirement System for a period of three years.</li> </ol> <p>Each trustee shall be entitled to one vote in the meetings of the Board. Five members of the Board shall constitute a quorum. At least five concurring votes shall be necessary for a decision by the trustees at any meeting of the Board.</p>

Board.	
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**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.4. Membership; administration.</b> <i>(Continued)</i></p> <p><del>When there are insufficient active policemen and firemen members qualified and willing to serve as trustees, vacancies shall be filled by the election of retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn. Both active and retired policemen and firemen members shall be eligible to vote for the policemen and firemen trustees, respectively.</del></p> <p><del>In the event there should not be an eligible retired policeman member qualified and willing to fill a policeman trustee vacancy, or an eligible retired fireman qualified and willing to fill a fireman trustee vacancy, then any eligible retired member shall be elected by the total active and retired members of the System.</del></p> <p><del>At such time as there shall be insufficient eligible active and retired members qualified and willing to fill the member trustee positions, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the City of Dearborn Policemen and Firemen Retirement System.</del></p> <p><del>(B) The City of Dearborn Employees Retirement System (Chapter 22)</del></p> <p>The membership of the City of Dearborn Retirement System shall include all officers except as provided in this charter and only full-time employees and officers of the City who are not active members of another public retirement system or eligible to receive benefits from another City retirement system. This plan was permanently closed to all employees hired after July 1, 2002.</p>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>When there are insufficient active policemen and firemen members qualified and willing to serve as trustees, vacancies shall be filled by the election of retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn. Both active and retired policemen and firemen members shall be eligible to vote for the policemen and firemen trustees, respectively.</p> <p>In the event there should not be an eligible retired policeman member qualified and willing to fill a policeman trustee vacancy, or an eligible retired fireman qualified and willing to fill a fireman trustee vacancy, then any eligible retired member shall be elected by the total active and retired members of the System.</p> <p>At such time as there shall be insufficient eligible active and retired members qualified and willing to fill the member trustee positions, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the City of Dearborn Policemen and Firemen Retirement System.</p> <p>(B) The membership of the City of Dearborn Retirement System shall include all officers except as provided in this charter and only full-time employees and officers of the City who are not active members of another public retirement system or eligible to receive benefits from another City retirement system.</p>





**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.4. Membership; administration.</b> <i>(Continued)</i></p> <p>The administration of the System shall be vested in a Board of Trustees which shall consist of <del>seven (7) five</del> trustees, as follows:</p> <ol style="list-style-type: none"> <li>1. A Mayoral appointee who shall serve as chairperson;</li> <li>2. A Council appointee who shall serve as vice chairperson; and</li> <li>3. <del>Three (3) Two</del> members of the Retirement System to be elected by the members of the Retirement System under such rules and regulations as the Board shall adopt to govern such elections, provided, that no more than one member trustee shall be from any one City department. The term for the member trustees shall be four years.</li> <li>4. <del>One (1) A</del> member of the Civil Service Commission to be selected by the members of the Civil Service Commission and</li> <li>5. <del>A retiree member of the Employees Retirement System to be elected by the active and retired members of the Retirement System under such rules and regulations as the Board shall adopt to govern such elections. The term for the elected retiree trustee shall be four (4) years.</del></li> </ol> <p>The Board shall adopt its own rules of procedure and shall keep a record of its proceedings. <del>Five (5) Three</del> trustees shall constitute a quorum at any meeting of the Board. Each trustee shall be entitled to one <del>(1) vote</del> in the meetings of the Board and <del>five (5) at least three</del> concurring votes shall be necessary for a decision by the trustees.</p> <p><del>Vacancies shall be filled by the election of active members or retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn. Both active and retired</del></p>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>The administration of the System shall be vested in a Board of Trustees which shall consist of five trustees, as follows:</p> <ol style="list-style-type: none"> <li>1. A Mayoral appointee who shall serve as chairperson;</li> <li>2. A Council appointee who shall serve as vice chairperson; and</li> <li>3. Two members of the Retirement System to be elected by the members of the Retirement System under such rules and regulations as the Board shall adopt to govern such elections, provided, that no more than one member trustee shall be from any one City department. The term for the member trustees shall be four years.</li> <li>4. A member of the Civil Service Commission to be selected by the members of the Civil Service Commission.</li> </ol> <p>The Board shall adopt its own rules of procedure and shall keep a record of its proceedings. Three trustees shall constitute a quorum at any meeting of the Board. Each trustee shall be entitled to one vote in the meetings of the Board and at least three concurring votes shall be necessary for a decision by the trustees.</p> <p>Vacancies shall be filled by the election of active members or retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn. Both active and retired</p>

~~members shall be eligible to vote for the trustees.~~

members shall be eligible to vote for the trustees.

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.4. Membership; administration.</b> <i>(Continued)</i></p> <p><del>At such time as there shall be</del> When the Board determines, by majority vote of the remaining trustees, that there are insufficient eligible active and retired members qualified and willing to fill the member trustee positions, serve as trustees, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the City of Dearborn Employees Retirement System. the Board may determine, by majority vote of the remaining trustees, that retiree members of the System shall be eligible for election. Both active and retired members shall be eligible to vote for retiree trustees and their term shall be four (4) years.</p>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>At such time as there shall be insufficient eligible active and retired members qualified and willing to fill the member trustee positions, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the City of Dearborn Employees Retirement System.</p>

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.4. Membership; administration.</b> (Continued)</p> <p>When:</p> <p>(1) the Board determines, by majority vote of the remaining trustees, that there are insufficient eligible active and/or retired members qualified and willing to fill the member reelected trustee positions, or</p> <p>(2) the Board is unable to establish a quorum for three (3) consecutive monthly meetings, whichever first occurs, then either the Board may determine by majority vote of the remaining trustees, or if no quorum can be established as set forth herein, then, it shall be determined by a majority vote of the remaining trustees that administration of the System shall become the responsibility of one of the following Boards of Trustees, to be administered pursuant to the provisions of the City of Dearborn Employees Retirement System. Pension Ordinance [Section 22.1 et seq. as it may be amended] and applicable law, in the following descending order of priority:</p> <p>(i) The Board of Trustees of the City of Dearborn Police and Fire Revised Retirement System [Chapter 23];</p> <p>(ii) Should the Board of Trustees of the City of Dearborn Police and Fire Revised Retirement System no longer function as a Board, then administration of the Employees Retirement System [Chapter 22] shall be the responsibility of the Board of Trustees of the Retiree Health Care Plan Trust;</p> <p>(iii) Should the Board of Trustees of the Retiree Health Care Plan Trust no longer function as a Board, then administration of the Employees Retirement System [Chapter 22] shall be the responsibility of the City of Dearborn.</p> <p>If at any time after the transfer of administration duties to one of the other Boards of Trustees as set forth above, there is a showing that there are sufficient active and/or retired members of Chapter 22 that are qualified and willing to fill the elected trustee position, the Board then administering the assets of Chapter 22 shall transfer administration duties back to the Chapter 22 Board of Trustees as may then be duly constituted.</p>	<p><b>Section 17.4. - Membership; administration.</b> (Continued)</p> <p>(No equivalent language in 2007 Charter)</p>



**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>Section 16.4. Membership; administration.</b> <i>(Continued)</i></p> <p>(C) <del>The membership of the City of Dearborn Police and Fire Revised Retirement System Chapter (23)</del></p> <p>The membership of the City of Dearborn Police and Fire Revised Retirement System shall include police and fire employees, <del>other than temporary or civilian employees</del>, who were employed on or after July 1, 1956, <del>first, Nineteen Hundred and Fifty-Six.</del> but excluding temporary or civilian employees.</p> <p><del>This System was permanently closed to all police employees hired after July 1, 2005 and all fire employees hired after May 1, 2009.</del></p> <p>The administration of the System shall be vested in a Board of Trustees which shall consist of seven (7) trustees, as follows:</p> <ol style="list-style-type: none"> <li>1. A Mayoral appointee who shall serve as chairperson.</li> <li>2. A Council appointee who shall serve as vice chairperson.</li> <li>3. The Mayor shall appoint, with the confirmation of the Council, a citizen who is an elector in the City and who is not an employee of the City and who is not eligible to receive benefits under the Retirement System. The citizen member term shall be three years.</li> <li>4. Four (4) persons to be elected by the members of the System. Two (2) member trustees shall be elected by the police officer members and must be active police officer members. Two (2) member trustees shall be elected by the fire fighter members and must be active fire fighter members. The member trustees shall be elected by the members of the Retirement System in accordance with such rules and regulations as the Board shall adopt to govern such elections. The member</li> </ol>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>(C) The membership of the Police and Fire Revised Retirement System shall include police and fire employees, other than temporary or civilian employees, who were employed on or after July first, Nineteen Hundred and Fifty-Six. The administration of the System shall be vested in a Board of Trustees which shall consist of seven trustees, as follows:</p> <ol style="list-style-type: none"> <li>1. A Mayoral appointee who shall serve as chairperson.</li> <li>2. A Council appointee who shall serve as vice chairperson.</li> <li>3. The Mayor shall appoint, with the confirmation of the Council, a citizen who is an elector in the City and who is not an employee of the City and who is not eligible to receive benefits under the Retirement System. The citizen member term shall be three years.</li> <li>4. Four persons to be elected by the members of the System. Two member trustees shall be elected by the police officer members and must be active police officer members. Two member trustees shall be elected by the fire fighter members and must be active fire fighter members. The member trustees shall be elected by the members of the Retirement System in accordance with such rules and regulations as the Board shall adopt to govern such elections. The member trustees shall serve for a term of four years.</li> </ol>

trustees shall serve for a term of four (4) years.

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p>(C) The membership of the City of Dearborn Police and Fire Revised Retirement System Chapter (23)</p> <p>Five (5) trustees shall constitute a quorum at any meeting of the Board. Each trustee shall be entitled to one (1) vote on each question before the Board and at least five (5) concurring votes shall be required for a decision by the Board at any meeting. The Board shall adopt its own rules of procedure and shall keep a record of its proceedings.</p> <p>When the Board determines, by majority vote of the remaining trustees, that there are insufficient active police <del>and fire</del> members qualified and willing to serve as trustees, <del>vacancies shall be filled by the election of retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn.</del> in either or both of the two (2) trustee positions available to active police members, the Board may determine, by majority vote of remaining trustees, that retiree police members of the System shall be eligible for election to those positions. Both active and retired police <del>and fire</del> members shall be eligible to vote for the <del>police and fire</del> trustees, <del>respectively</del> and their term shall be four (4) years.</p> <p>When the Board determines, by majority vote of the remaining trustees, that there are insufficient eligible active fire members qualified and willing to serve as trustees in either or both of the two (2) trustee positions available to active fire members, the Board may determine, by majority vote of the remaining trustees, that retiree fire members of the System shall be eligible for the election to those positions.</p> <p>Both active and retired fire members shall be eligible to vote for the trustees and their term</p>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>Five trustees shall constitute a quorum at any meeting of the Board. Each trustee shall be entitled to one vote on each question before the Board and at least five concurring votes shall be required for a decision by the Board at any meeting. The Board shall adopt its own rules of procedure and shall keep a record of its proceedings.</p> <p>When there are insufficient active police and fire members qualified and willing to serve as trustees, vacancies shall be filled by the election of retired members who have signed and filed with the Board a Notice of Intent to be a Candidate, and who have permanent residences within a 100-mile radius of Dearborn. Both active and retired police and fire members shall be eligible to vote for the police and fire trustees, respectively.</p>



shall be four (4) years.	
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*** 2023 Update ***	2007 Content
<p>(C) The membership of the City of Dearborn Police and Fire Revised Retirement System Chapter (23)</p> <p><del>In the event there should not be an eligible retired police member qualified and willing to fill a police trustee vacancy, or an eligible retired fire member qualified and willing to fill a fire trustee vacancy, then any eligible retired member shall be elected by the total active and retired members of the System. When the Board determines, by majority vote of the remaining trustees, that there are insufficient eligible active and/or retired police and fire members qualified and willing to fill the trustee vacancy positions, then the Board may determine, by majority vote of the remaining trustees, that any retired police and/or fire members may fill the vacant positions. Both active and retired police and fire members shall be eligible to vote for the trustees and their term shall be four (4) years.</del></p> <p><del>At such time as there shall be insufficient eligible active and retired members qualified and willing to fill the four member trustee positions, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the Police and Fire Revised Retirement System.</del></p>	<p><b>Section 17.4. - Membership; administration.</b> <i>(Continued)</i></p> <p>In the event there should not be an eligible retired police member qualified and willing to fill a police trustee vacancy, or an eligible retired fire member qualified and willing to fill a fire trustee vacancy, then any eligible retired member shall be elected by the total active and retired members of the System.</p> <p>At such time as there shall be insufficient eligible active and retired members qualified and willing to fill the four member trustee positions, then the administration of the System shall become the responsibility of the City of Dearborn to be administered pursuant to the provisions of the Police and Fire Revised Retirement System.</p>

**CHAPTER 16. RETIREMENT PLANS.**

*** 2023 Update ***	2007 Content
<p><b>16.5. Post-employment healthcare.</b></p> <p>The City Council by resolution may establish a Board of Trustees for the Retiree Health Care Plan Trust consisting of five (5) trustees, as follows:</p> <ol style="list-style-type: none"> <li>1. The Pension Board’s Mayoral appointee who shall serve as the chairperson. on the Board of Trustees of the Police and Fire Revised Retirement System [Chapter 23], shall serve as the chairperson.</li> <li>2. The Pension Board’s Council appointee who shall serve as the vice chairperson on the Police and Fire Revised Retirement System [Chapter 23], shall serve as vice chairperson.</li> <li>3. One Police Trustee and one Fire Trustee from the Police and Fire Revised Retirement System Board of Trustees shall be appointed by the Police &amp; Fire Revised Retirement System Pension Board of Trustees; and</li> <li>4. One Trustee from the Employees Retirement Board of Trustees shall be appointed by the Employees Retirement System Board of Trustees.</li> </ol> <p>Three (3) trustees shall constitute a quorum at any meeting of the Board. Each trustee shall be entitled to one vote on each question before the Board, a majority of concurring votes shall be required for a decision by the Board at any meeting. The Board shall follow the same rules of procedure and maintenance of records of proceedings as the pension boards maintain records of proceedings for the Boards of Trustees for the Police and Fire Revised Retirement System and the Employees Retirement System. All Trustees to the Retiree Health Care Plan shall serve a four (4) year term, except that the Chair and Vice Chair shall</p>	<p>(No equivalent section in 2007 Charter)</p>

serve terms equal to the appointing authority's term of office.	
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## CHAPTER 17. CITY LIABILITY.

### What is this chapter?

Chapter 17 ...

### What changed?

Nothing! Chapter 17 has continued to serve the city of Dearborn and no updates were needed.

### Where can I learn more?

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 17 was discussed on:

- June 1, 2022 ; June 21, 2023

### What state laws apply to these sections?

While the whole Charter is informed by state and federal laws, not every section has a specific law attached to it. There are not state laws specifically referenced in Chapter 17.

*** 2023 Update ***	2007 Content
<b>Section 17.1. Notice to City of Claims.</b> Any person claiming to have been injured by or through the negligent action of the City or its agents, shall serve a notice in writing upon the Clerk within one hundred and twenty (120) days of the claimed injury. This notice shall set forth the time, date, place, witnesses known and specific nature of the injury claimed. Failure to give such notice may act as a bar to any action based upon that injury.	

## CHAPTER 18. MISCELLANEOUS AND TRANSITION.

### **What is this chapter?**

Chapter 18 ...

### **What changed?**

Nothing! Chapter 18 has continued to serve the city of Dearborn and no updates were needed.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 18 was discussed on:

- June 22, 2022 ; October 26, 2022 ; February 1, 2023 ; July 26, 2023

### **What state laws apply to these sections?**

- **Section 18.4 Amendments and revision.** State law references: Power to adopt and amend Charter, Mich. Const. 1963, Art. VII, § 22; Charter amendment procedure, MCL 117.21 et seq., MSA 5.2100 et seq.
- **Section 18.6 Penalties for violation of Charter.** State law references: Limitation on penalties, MCL 117.4i(10), MSA 5.2082(10).

**CHAPTER 18. MISCELLANEOUS AND TRANSITION.**

*** 2023 Update ***	2007 Content
<p><b>Section 18.1. When Certain Days are Saturdays, Sundays or Holidays. (Formerly 19.1)</b></p> <p>When the day upon which some action or thing shall be done under the provisions of this Charter or the last day of a period within which such action or thing to be done falls upon a Saturday, Sunday, or holiday observed by the City, then such Saturday, Sunday, or holiday shall be excluded in computing time, and such action or thing shall be done on the next regular work day.</p>	
<p><b>Section 18.2. Headings. (Formerly section 19.3)</b></p> <p>The Chapter and section headings used in the Charter are for convenience only and shall not be considered part of this Charter.</p>	
<p><b>Section 18.3. Effect of illegality of any part of Charter. (Formerly section 19.4)</b></p> <p>If any provision of this Charter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Charter.</p>	
<p><b>18.4 Amendments <del>and revision.</del></b></p> <p>This Charter may be amended <del>or revised</del> at the time and in the manner provided by law. <del>Should two (2) or more amendments adopted at the same election have conflicting provisions, the one receiving the largest affirmative vote shall prevail as to those provisions. At the City primary election to be held in Two Thousand Twenty One and in each twelfth year thereafter and at such times as may be provided by law, the question of general revision of the charter shall be submitted to the electors of the City. If the general revision is approved, the election of charter commissioners shall be held at the City general election the same year. The candidates shall be nominated by petitions signed by not less than 100 or more than 200 registered electors filed 70 days prior to the general election with the City Clerk's office.</del></p>	<p><b>Section 19.5. - Amendments and revision.</b></p> <p>This charter may be amended or revised at the time and in the manner provided by law. At the City primary election to be held in Two Thousand Twenty-One and in each twelfth year thereafter and at such times as may be provided by law, the question of general revision of the charter shall be submitted to the electors of the City. If the general revision is approved, the election of charter commissioners shall be held at the City general election the same year. The candidates shall be nominated by petitions signed by not less than 100 or more than 200 registered electors filed 70 days prior to the general election with the City Clerk's office.</p>

**CHAPTER 18. MISCELLANEOUS AND TRANSITION.**

**Section 18.5 Amendments and Charter Revision.**

This Charter may be ~~amended or~~ revised at the time and in the manner provided by law. ~~The candidates for Charter commission shall be nominated in accordance with Section 11.3 of this Charter. At the City primary election to be held in Two Thousand Twenty-One 2023 and in each twelfth (12<sup>th</sup>) year thereafter and at such times as may be provided by law,~~ the question of general revision of the Charter shall be submitted to the electors of the City; ~~if this question of general revision is adopted If the general revision is approved,~~ the election of Charter commissioners shall be held at the City general election the same year. ~~The candidates shall be nominated by petitions signed by not less than 100 or more than 200 registered electors filed 70 days prior to the general election with the City Clerk's office.~~

**Section 19.5. - Amendments and revision.**

This charter may be amended or revised at the time and in the manner provided by law. At the City primary election to be held in Two Thousand Twenty-One and in each twelfth year thereafter and at such times as may be provided by law, the question of general revision of the charter shall be submitted to the electors of the City. If the general revision is approved, the election of charter commissioners shall be held at the City general election the same year. The candidates shall be nominated by petitions signed by not less than 100 or more than 200 registered electors filed 70 days prior to the general election with the City Clerk's office.

**Section 18.6. Penalties for Violation of Charter. (Formerly section 19.6)**

Any person found guilty of an act constituting a violation of this Charter may be punished by a fine not exceeding ~~\$500 five hundred dollars~~ or by imprisonment for not to exceed ninety (90) days, or both, or as otherwise provided by law.

The Council shall provide for the enforcement of the provisions of this Charter.

This section shall not operate to limit or prejudice the power to remove Officers or discharge employees as provided in this Charter.

**Section 18.7. City Ordinances and Regulations. (Formerly section 19.7)**

All departments, ordinances, resolutions and rules and regulations of the City in force on the effective date of this Charter which are not inconsistent with this Charter, shall continue in full force until repealed, terminated or amended as provided by this charter or by action of the proper authorities.

**CHAPTER 18. MISCELLANEOUS AND TRANSITION.**

**Section 18.8. Rights, Liabilities, Remedies. (Formerly section 19.8)**

All rights and properties of any kind and description which were vested in the City on the effective date of this Charter shall be deemed and held to be vested in the City; and no franchise or licenses granted or right or liabilities, either in favor of or against the City on the effective date of this Charter, and no suit or prosecution of any kind shall be in any manner affected by the adoption or taking effect of this Charter, but the same shall stand or progress as if no such change had been made, and all debts and liabilities of the City under its previous Charter shall be deemed to be debts and liabilities of the City under this charter, and all taxes, and special assessments levied and uncollected on the effective date of this Charter shall be collected as if such change had not been made; provided, that when a different remedy is given in this Charter which can be made applicable to any rights existing on the effective date of this Charter, it shall be deemed cumulative to the remedies before provided and may be used accordingly.

**Section 18.9. Continuance in Office. (Formerly section 19.9)**

Elective officers holding office at the time of the effective date of this Charter and except as otherwise provided in this Charter, shall remain in office until their terms expire following the first regular election held under this Charter. Appointive officers holding office at the time of the effective date of this charter and except as otherwise provided in this charter, shall remain in office until their current term of office expires or until their successors have been appointed and qualified.

**Section 18.10. Council Confirmation of Appointees. (Formerly section 19.10)**

If this Charter shall require Council confirmation of mayoral appointments, and if the Council shall fail to reject the appointment within four weeks, it shall be automatically confirmed.

**Section 18.11. ~~Mayor and council to provide for~~ Transition.**

On or before the effective date of this Charter, the Council shall provide by ordinance or resolution ~~to ensure the implementation of the provisions of the approved Charter. for the orderly transition of the city government~~

**Section 19.11. - ~~Mayor and council to provide for~~ transition.**

On or before the effective date of this charter, the Council shall provide by ordinance or resolution for the orderly transition of the city government.

## CHAPTER 19. SCHEDULE.

### **What is this chapter?**

Chapter 19 ...

### **What changed?**

The dates listed in the 2007 Charter were set up around the election timing for its adoption. A Charter update requires updated dates to remain current.

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 19 was discussed on:

- June 22, 2022 ; February 1, 2023; August 8, 2023

### **What state laws apply to these sections?**

While the whole Charter is informed by state and federal laws, not every section has a specific law attached to it. There are not state laws specifically referenced in Chapter 19.



**CHAPTER 19. SCHEDULE.**

*** 2023 Update ***	2007 Content
<p><b>Section 19.1. Status of Schedule Chapter. (Formerly section 20.1)</b></p> <p>The purpose of this Chapter is to inaugurate the government of the City of Dearborn under this Charter and it shall constitute part of this charter only to the extent of the time necessary to accomplish this purpose.</p>	
<p><b>Section 19.2. Election to Adopt Charter.</b></p> <p>This Charter shall be submitted to the people for adoption at the <del>special</del> <b>Presidential primary</b> election to be held <del>November 06, 2007</del> <b>February 27, 2024</b>, in the manner and with the effect prescribed by law as follows:</p> <p>"SHALL THE CHARTER PROPOSED BY THE DEARBORN CHARTER COMMISSION BE ADOPTED?"            YES            NO</p>	<p><b>Section 20.2. - Election to adopt charter.</b></p> <p>This charter shall be submitted to the people for adoption at the special election to be held November 06, 2007, in the manner and with the effect prescribed by law as follows:</p> <p>"SHALL THE CHARTER PROPOSED BY THE DEARBORN CHARTER COMMISSION BE ADOPTED?"            YES            NO</p>
<p><b>Section 19.3. Effective Date of the Charter.</b></p> <p>Except as otherwise provided, this Charter shall become effective <b>the first day of the month following the certification of the presidential primary election held on February 27, 2024.</b> <del>January 1, 2008.</del></p>	<p><b>Section 20.3. - Effective date of charter.</b></p> <p>Except as otherwise provided, this charter shall become effective January 1, 2008.</p>
<p><b>Section 19.4. First Regular Election.</b></p> <p>The first regular election under this Charter shall be in <b>2024.</b> <del>2009</del></p>	<p><b>Section 20.4. - First regular election.</b></p> <p>The first regular election under this charter shall be in 2009.</p>

## Appendix

### **What is this chapter?**

Definitions

### **What changed?**

Additional clarity. Moved from chapter 4 because the placement makes more sense

### **Where can I learn more?**

Recordings of all Charter Commission regular meetings and study sessions can be accessed on demand through the [City of Dearborn TV](#) and all [meeting minutes](#) can be accessed through the Charter Commission website. Chapter 19 was discussed on:

- 

### **What state laws apply to these sections?**

While the whole Charter is informed by state and federal laws, not every section has a specific law attached to it. There are not state laws specifically referenced in the definitions.

## **APPENDIX.**

The following definitions are applicable to this Charter:

**Appropriation:** An authorization to spend funds in a particular way, often for a restrictive period of time.

**City:** City of Dearborn.

**Compensation:** Salary and remuneration.

**Council:** The City Council, the legislative body of the City.

**Day:** Calendar day.

**Default:** Undisputed delinquency in payment of taxes, assessments, and other indebtedness to the City.

**Elector:** A person registered to vote in the City.

**Encumber:** An open commitment to pay for goods or services ahead of the actual purchase for such goods or services.

**Fund Balance:** An accumulation of prior year net financial results (government type).

**Immediate Family:** A spouse or a parent, grandparent, child, grandchild, brother, or sister or the spouse of any of them.

**Law:** The Constitution and Acts of the United States and of the State of Michigan.

**Number:** The singular number includes the plural and the plural number includes the singular.

**Officer:** Includes but not limited to Mayor, City Councilmembers, Clerk, Assessor, and appointed Directors.

**Ordinance:** A local law enacted by the legislative body of the City.

**Person:** ~~Bodies corporate and politic as well as individuals or other types of business associations.~~

**Post-Employment Health Care:** Established in 1991 pursuant to the State of Michigan Public Act 149 of 1999 and then reauthorized pursuant to Public Act 314 of 1965 in 2003, to provide future payments of medical benefits in retirement for eligible employees, their

spouses, and dependents as established by collective bargaining. Qualified vested employees become eligible for the life-long medical benefits through age and service provisions of the applicable salary plan or collective bargaining agreement. Benefits are provided through a third-party insurer, and the full cost of the benefits shall be considered permanent, vested, and unalterable. This plan was permanently closed to new entrance in phases by employee group starting on July 1, 2001 and is completely closed to all employees hired after August 26, 2013.

**Private Person:** A resident of the City who is not an Officer or employee of the City.

**Proprietary Funds:** Account for business type activities of the government.

**Public Improvements:** An addition made to a piece of land, whether permanent or not, that increases its value, utility, or appearance. For public disclosure, expansion of a utility or new facility are applicable and repair and maintenance of existing infrastructure or facilities are not.

**Publish:** Making something public in the manner stated in or authorized by this Charter.

**Remuneration:** Benefits, fringe or otherwise, cost of living adjustments, other than salary resulting from services rendered.

**Resolution:** An official action in the form of a motion and such action shall be limited to matters required or permitted by law and to matters pertaining to the internal affairs or concerns of the City government. **Retained Earnings:** An accumulation of prior year net financial results (business type).

**Salary:** The amount of money paid for services rendered exclusive of cost-of living adjustments and exclusive of benefits, fringe or otherwise.

**State:** State of Michigan.

**Tense:** This Charter is to be regarded as speaking in the present tense and continuously, for example: the phrase "as provided by law" will incorporate the provisions of the law as they change from time to time.

**Vacancy:** The position of any elective Officer or appointee is deemed vacant upon death, resignation, permanent disability, or dismissal from the position in any manner authorized by law or this Charter.