

ORDINANCE #01-2017

ORDINANCE TO AMEND “CHAPTER 2 – ADMINISTRATION” OF THE CITY OF MARLETTE CODE OF ORDINANCES

WHEREAS, the City of Marlette has completed a thorough review of its Code of Ordinances in pursuit of publishing a comprehensive update of the Code of Ordinances book; and

WHEREAS, the following amendments are necessary to complete the update.

THE CITY OF MARLETTE ORDAINS

Section 1. That Section 2-61 of Chapter 2 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 2-61. Mayor shall appoint; remove; consent of council.

The mayor shall within 90 days after a vacancy exists in the position, appoint, by and with the consent of council, a city manager to serve for an indefinite period. The city manager may be terminated by a majority vote of the council, but only after a full hearing before the council. The termination of services and employment of the city manager shall not take effect until 60 days after such hearing before the council. The city manager shall be selected solely on the basis of his or her executive and administrative qualifications with special reference to his or her training and experience ~~and without regard to his religious or political preferences. The city manager need not be a resident of the city at the time of his appointment, but shall become a resident within six months after his appointment and shall continue to reside in the city thereafter during his term of office. The manager need not be a resident of the city at the time of appointment, nor at any time during the appointment, but shall take all steps necessary to move within a 20-mile radius of the city within 180 days from appointment, unless otherwise determined by contract. The manager shall reside within these parameters thereafter during the term of office. The residency requirement may be waived by a majority vote of the council members when they deem it is in the city's best interest.~~ The city manager shall not terminate his services without giving the city 60 days' notice of his intention to terminate.

Section 2. That Subsection 8 of Section 2-64 of Chapter 2 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 2-64. Responsibilities.

(8) Be responsible for the purchase and sale of all city property, excepting real estate, provided that in all purchases or sales in excess of \$5,000.00, the purchase or sale shall in all cases be with the consent and approval of the council;

Section 3. That Section 2-112 of Chapter 2 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 2-112. Membership; appointment; terms; compensation.

The planning commission shall consist of ~~nine~~ seven members appointed by the mayor with the consent of council in accordance with ~~Act No. 285 of the Public Acts of Michigan of 1931 (MCL 125.31 et seq., MSA 5.2991 et seq.)~~ Public Act 33 of 2008, Sections 125.3801 – 125.3885, or as amended from time to time, and the provisions therein for appointment, compensation, term, removal and vacancies shall apply to the same extent and with the same legal result and effect as if such provisions had been at length set forth in the Code.

Section 4. That Section 2-113 of Chapter 2 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 2-113. Powers and duties.

The powers and duties of the planning commission shall be as provided by ~~Act No. 285 of the Public Acts of Michigan of 1931 (MCL 125.31 et seq., MSA 5.2991 et seq.)~~ Public Act 33 of 2008, Sections 125.3801 – 125.3885, or as amended from time to time, to the same extent and with the same legal result and effect as if the powers and duties had been at length set forth and declared in this Code.

Section 5. This Ordinance is declared necessary for the peace, health and safety of the residents of the City of Marlette and shall become effective upon twenty five days after enactment and publication.

Mayor

City Clerk

Approved as to form:

City Attorney

First Reading: _____

Second Reading: _____

Published: _____

The foregoing ordinance was offered by Council Member ____ and supported by Council Member _____:

AYES:

NAYS:

ABSENT:

The Clerk declared the ordinance adopted.

I, Sandra Cargill, the duly qualified and acting Clerk of the City of Marlette, Sanilac County, Michigan do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Council at a regular meeting held on Monday, _____, 2017, the original of which is on file in the City Office.

Sandra Cargill, City Clerk