

ORDINANCE NO. 2024-01

CITY OF ROYAL OAK,

OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak by adopting and adding a new Chapter 102, Sections 102-1 through 102-9, to the Code of Ordinances, City of Royal Oak, Michigan, to provide for a Local Officers Compensation Commission pursuant to authority granted by state law.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That a new Chapter 102, Sections 102-1 through 102-9, is hereby added to the Code of the City of Royal Oak, Michigan, to read as follows:

Sec. 102-1. Title

This chapter shall be known as and may be cited as the "Royal Oak Local Officers Compensation Commission Ordinance".

Sec. 102-2. Creation and Statement of Purpose

A local officers compensation commission is created, which shall determine the salaries of each local elected official.

Sec. 102-3. Composition and Term of Office

The commission shall consist of seven (7) members. The members shall be registered electors of the city, appointed by the mayor subject to confirmation by a majority vote of the city commission. The term of office shall be 7 years, except that of the members first appointed, one (1) each shall be appointed for terms of one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) years. The first members shall be appointed within thirty (30) days after the effective date of the ordinance codified in this chapter. Members other than the first members shall be appointed before October 1 of the year of appointment. Vacancies shall be filled for the remainder of the unexpired term. A member or employee of the legislative, judicial, or executive branch of any level of government or a member of the immediate family of a member or employee of the legislative, judicial, or executive branch of any level of government shall not be a member of the commission.

Sec. 102-4. Determination of Salaries

The commission shall determine the salary of each local elected official. The determination shall be the salary, unless the city commission, by resolution adopted by two-thirds (2/3) of the members elected to and serving on the city commission, rejects the determination. The determination of the commission shall be effective thirty (30) days following its filing with the city clerk unless rejected by the city commission. If the determination is rejected, the existing salary shall prevail. The expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.

Sec. 102-5. Meeting of Commission; Quorum, Concurrence of Majority, Chairperson, Session Days; Compensation

The commission shall meet for not more than fifteen (15) session days in each odd numbered year and shall make its determination within forty-five (45) calendar days after its first meeting. A majority of the members of the commission constitute a quorum for conducting business of the commission. The commission shall not take action or make a determination without a concurrence of a majority of the members appointed and serving on the commission. The commission shall elect a chairperson from among its members. As used in this section, "session day" means a calendar day on which the commission meets and a quorum is present. The members of the commission shall not receive compensation but shall be entitled to actual and necessary expenses incurred in the performance of official duties.

Sec. 102-6. Open Meetings

The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with Act. No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date and place of the meeting of the commission shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

Sec. 102-7. Freedom of Information

A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

Sec. 102-8. Implementation; Changes in Procedure for Establishing Compensation

The governing body shall implement this section by resolution. After one (1) year following the date the ordinance goes into effect the procedure for establishing the compensation of elected officials may be changed by charter amendment or revision.

Sec. 102-9. Referendum in Ordinance

Not more than sixty (60) days after the effective date of the ordinance, a petition for a referendum on the ordinance may be filed pursuant to the procedure provided in the charter or otherwise by filing a petition with the city clerk containing the signatures of at least five (5%) percent of the registered electors of the city on the effective date of the ordinance. The election shall be conducted in the same manner as an election on a charter amendment. If a petition for referendum is filed, a determination of the commission shall not be effective until the ordinance has been approved by the electors.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted: 01/22/2024
Date Published: 01/25/2024
Effective Date: 02/01/2024