



**CITY OF
CHARLEVOIX**

CITY CHARTER
for the
CITY OF CHARLEVOIX

(Elected April 3, 1978)

EFFECTIVE JUNE 5, 1978

CITY CHARTER
for
THE CITY OF CHARLEVOIX

(Elected April 3, 1978)
EFFECTIVE JUNE 5, 1978

QUO-NOJ-WON AN-DAH-NOO-KEE-ING BAA-KAD-BEH-NOT-ZEE-ING.
KEEN-NAH-WEH-SAH AN-DAH-NOO-KEE-ING SHANG-GWOK-O-ZEE-BEENG
BOK-SAN-DAH-NEH-CHEE-ISH-PAN-DAH-MONG O-GEH-MA-WIN. (OTTAWA)

Nature achieves beauty through order. The Citizens of Charlevoix desire to insure beauty in their lives through the good order of their government.

Submitted by
The Charter Commission
City of Charlevoix, Michigan
Elected April 7, 1975

AMENDED
November 4, 1980
November 3, 1981
December 6, 1982
November 5, 1991
April 6, 1992
February 18, 2004
November 7, 2006
July 18, 2011
August 5, 2014
November 7, 2017
November 3, 2020
November 2, 2021

f. The Council shall not have the power to sell, divide, lease, partition, plat, subdivide, or dispose of any City park or cemetery, or any part thereof, unless specifically approved by a majority of the electors voting thereon at any general or special election, except as provided for in "sub-section h" of this section. 'City park' shall include any property designated as a City park by official action of Council as a 'City park'. Once property is designated as a City park, the designation of property as a City park shall not be removed or changed unless specifically approved by a majority of the electors voting thereon at any general or special election.

ANNOTATION: As amended by vote of electors November 7, 2017.

g. The Council shall not have the power to sell, divide, lease, partition, plat, subdivide, or dispose of any City owned interest in real property which lies within one-hundred (100) feet of the water's edge of Lake Michigan, Round Lake, or Lake Charlevoix, or the connecting waterways, unless specifically approved by a majority of the electors voting thereon at any general or special election, except as provided for in "sub-section h" of this section. This sub-section does not apply to the normal operation of a cemetery.

h. The Council may, by a majority vote of the entire Council, when it deems it in the best public interest, lease for a period of not more than five (5) years those facilities used in connection with the operation of public parks and/or beaches, City owned docks with freight storage facilities, and buildings used in connection with the operation of the City owned airport. The Council has the power to sell lots and/or plots in any City owned cemetery.

Section 2.17 COUNCIL - INVESTIGATION

The City Council may make investigations into the affairs of the City and the conduct of any City department, office or agency, and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the Council shall be guilty of a misdemeanor and be punishable by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ninety (90) days, or both. The punitive powers herein stated shall not be exclusive and shall not prejudice the right to remove officers or discharge employees, and the Council shall have the power in the name of the City to institute injunctive proceedings, both to restrain and to enforce performance and observance of the law and ordinances.

Section 2.18 COUNCIL - OVERALL CONTROL OF MUNICIPAL OPERATIONS

In keeping with its authority to set and control the budget for the City and its various entities, the Council shall effect management by way of setting compensation and number of staff in the annual budget and directives it may give to the City Manager from time to time. When requested by Council, the City Manager shall promptly report to Council on such management affairs including but not limited to: the organizational structure of the government; job descriptions; employee benefits; and, employee compensation.

ANNOTATION: As amended by vote of electors November 2, 2021.

**ARTICLE III
ADMINISTRATION**

Section 3.1 ADMINISTRATION OFFICIALS

The administration officials of the City shall be the City Manager, City Clerk, City Attorney, City Assessor, City Treasurer, Police Chief, and Fire Chief. The Council may create, combine, separate, or abolish administrative offices in any manner not inconsistent with law or this Charter, and shall prescribe the duties thereof, in order to insure the proper operation of the City government. No action of the City Council, however, shall abolish the office of the City Manager nor diminish any of the powers of that office as set forth in this Charter. Except as otherwise herein provided, the qualifications, duties and compensation of City officers shall be determined by the City Council.

Section 3.2 ADMINISTRATION OFFICIALS - APPOINTMENT - PROMOTION - COMPENSATION

All appointments, promotions, and compensation of administrative officials shall be made solely on evidence of merit and fitness.

Section 3.3 CITY MANAGER - APPOINTMENT AND REMOVAL

Upon a majority vote of the entire Council, the City Council shall appoint a City Manager solely on the basis of professional merit and ability. The Council may enter into a contract with the City Manager in the customary manner for such positions. The Council may terminate this contract upon its expiration or with a vote of not less than 2/3 of the entire Council.

ANNOTATION: As amended by vote of electors November 7, 2006 & November 2, 2021.

Section 3.4 CITY MANAGER - FILLING VACANCY

Upon the occurrence of a vacancy in the office of City Manager, or upon his suspension or removal, the Council, while it is attempting to fill the office, may appoint an Acting City Manager for a period not to exceed one (1) year, during which the Acting City Manager shall serve at the will of the Council and may be immediately removed by majority vote of the entire Council.

ANNOTATION: As amended by vote of electors November 2, 2021.

Section 3.5 CITY MANAGER - TEMPORARY ABSENCE

When the City Manager is absent from duty, or disabled, a qualified City administrative official shall be designated by the City Manager to exercise the powers and perform the duties of the City Manager during his absence or disability. The City Manager shall file with the City Clerk a list, by name and title, of three (3) qualified City administrative officials to exercise such powers and perform such duties. These City administrative officials shall be listed in the order by which each shall be designated to assume temporarily the City Manager's duties. During such absence or disability, the Council may revoke such designation at any time and appoint another City administrative official to serve until the City Manager shall return or disability shall cease.

Section 3.6 CITY MANAGER - POWER AND DUTIES

The City Manager shall be the chief administrative official of the City, and shall be responsible to the Council for the administration of all City affairs designated to his office by this Charter. The City Manager shall have the following powers and duties:

a. The City Manager shall appoint and, when deemed necessary for the good of the City, suspend or remove any City employee, except as otherwise provided by law, this Charter, or personnel rules. The City Manager may authorize any department head who is subject to the City Manager's direction and supervision to exercise these powers with respect to subordinates in that official's department, office, or agency.

b. The City Manager shall direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by law or this Charter.

Section 8.8 ASSESSMENT - NOTICE OF CHANGE TO OWNERS

Notices of changes in assessment shall be delivered to respective property owners. Such notice shall be delivered in the form and manner prescribed by the laws of this State. The failure of the property owner to receive notice shall not invalidate an assessment roll or an assessment on property.

ANNOTATION: As amended by vote of electors November 2, 2021.

Section 8.9 BOARD OF REVIEW - MEETINGS

The Board of Review shall hold at least two (2) meetings each year at such places as shall be designated by the Council. The first meeting shall commence on the Tuesday next following the first Monday in March of each year and shall continue as long as may be necessary to consider and correct the assessment roll, and shall be for the purpose of hearing the complaints of all persons considering themselves aggrieved by the assessments. Sessions of the Board of Review shall be set by the City Clerk in accordance with State law and may be set longer if necessary.

ANNOTATION: As amended by vote of electors November 7, 2006.

Section 8.10 BOARD OF REVIEW - APPEALS

In each case where there is an appeal by a property owner heard at the first meeting of the Board of Review, the Board shall give notice to each such property owner of its decision. This notice shall be given in such a manner as will insure the property owner the opportunity to attend the second meeting of the Board.

Section 8.11 BOARD OF REVIEW - SECOND MEETING

The second meeting of the Board of Review shall be held at such times as provided by statute for the purpose of hearing any further complaints by persons considering themselves aggrieved by the assessments. The assessment review shall be considered completed by the first Monday in April.

Section 8.12 BOARD OF REVIEW - ENDORSEMENT OF ROLL

After the Board of Review completes its review of the assessment roll, the majority of its members shall immediately endorse thereon and sign a statement to the effect that the same is the assessment roll of the City for the year in which it has been prepared. The omission of this endorsement shall not affect the validity of this roll. Upon completion, the roll shall be the assessment roll of the City for County, School and City taxes and for any other taxes on real or personal property that may be authorized by law. The assessment roll shall be conclusively presumed by all Courts and tribunals to be valid and shall not be set aside except for causes set forth in the general tax laws of the State.

Section 8.13 CERTIFICATION TO ASSESSOR

After the Council has adopted the budget for the ensuing year, the City Clerk shall certify to the City Assessor the total amount which the Council determines shall be raised by general taxes, all amounts of special assessments which the Council requires to be assessed or reassessed upon any property or against any person, and all other amounts which the Council may determine shall be charged, assessed or reassessed against any person or property.

Section 8.14 SPREADING OF THE TAXES

After the confirmation of the tax roll, the City Assessor shall certify a copy of the tax roll to the City Treasurer. The tax roll shall be delivered to the Treasurer before June 1st of each year. This shall constitute the City tax roll for the current year. To avoid fractions and computations on any tax roll, the City Assessor may add to the amount of the several taxes to be raised an amount prescribed by statute. This added amount, when collected, shall belong to the City.

Section 8.15 TAXES - COLLECTION OF

After the spreading of the taxes, the City Treasurer shall collect from the persons named in the tax roll the various sums stated. The City Treasurer is granted, for the purpose of collecting the taxes, assessments and charges on