

SENATE BILL NO. 1236

September 15, 1998, Introduced by Senator BENNETT and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1895 PA 215, entitled
"The fourth class city act,"
by amending section 6 of chapter IX (MCL 89.6).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER IX

2 Sec. 6. (1) Within 1 week after the passage of ~~any~~ AN
3 ordinance, the ~~same~~ CLERK shall ~~be published in some newspaper~~
4 ~~printed and~~ PUBLISH THE ORDINANCE OR A SUMMARY OF THE ORDINANCE
5 IN A NEWSPAPER circulated within the city. ~~, and~~ IF THE CLERK
6 PUBLISHES A SUMMARY OF THE ORDINANCE, THE CLERK SHALL INCLUDE IN
7 THE PUBLICATION THE LOCATION IN THE CITY WHERE A COPY OF THE
8 ORDINANCE CAN BE INSPECTED OR OBTAINED. IMMEDIATELY AFTER THE
9 ORDINANCE OR SUMMARY IS PUBLISHED, the clerk shall ~~immediately~~
10 ~~after such publication~~ enter ~~upon~~ IN the record of ordinances,
11 in a blank space to be left for ~~such~~ THIS purpose under the

1 recorded ordinance, a SIGNED certificate stating ~~in what~~
 2 newspaper and of what date such publication was made, and sign
 3 the same officially, and such THE DATE ON WHICH AND THE NAME OF
 4 THE NEWSPAPER IN WHICH THE ORDINANCE WAS PUBLISHED. THE certifi-
 5 cate ~~shall be~~ IS prima facie evidence ~~that~~ OF THE legal pub-
 6 lication of ~~such~~ THE ordinance. ~~has been made:~~ ~~Provided, how-~~
 7 ~~ever, That each city shall have power to adopt any plumbing code,~~
 8 ~~electrical code, or building code which has been promulgated by~~
 9 ~~the state of Michigan, or by any department, board, or other~~
 10 ~~agency thereof, or by any organization or association which is~~
 11 ~~organized and conducted for the purpose of developing any such~~
 12 ~~code or codes-~~

13 (2) A CITY MAY ADOPT A STATUTE OR RULE OF THIS STATE,
 14 INCLUDING BUT NOT LIMITED TO A STATUTE OR RULE ADOPTING BY REFER-
 15 ENCE A CODE PROMULGATED BY ANOTHER PUBLIC OR PRIVATE ENTITY OR A
 16 STATUTE OR RULE CONSTITUTING THE TEXT OF A CODE, OR MAY ADOPT A
 17 CODE PROMULGATED BY ANOTHER PUBLIC ENTITY OR A PRIVATE ENTITY, by
 18 reference ~~thereto~~ in an adopting ordinance and without publish-
 19 ing ~~any such~~ THE STATUTE, RULE, OR code in full. ~~:-~~ ~~Provided,~~
 20 ~~That said code is~~ IF AN ORDINANCE ADOPTS BY REFERENCE A STATUTE
 21 OR RULE OF THIS STATE, THE ORDINANCE MAY INCORPORATE FUTURE
 22 AMENDMENTS OR REVISIONS OF THE STATUTE OR RULE BY EXPLICITLY PRO-
 23 VIDING THAT FUTURE AMENDMENTS OR REVISIONS ARE INCORPORATED BY
 24 REFERENCE WHEN, OR A SPECIFIED PERIOD OF TIME AFTER, THEY TAKE
 25 EFFECT IN THIS STATE. THE STATUTE, RULE, OR CODE SHALL BE
 26 clearly identified in ~~said~~ THE ordinance, and ~~that~~ A
 27 STATEMENT OF the purpose of ~~said~~ THE STATUTE, RULE, OR code

1 shall be published with the adopting ordinance ~~and that printed~~
2 ~~copies thereof are~~ OR WITH THE SUMMARY OF THE ADOPTING NOTICE.
3 COPIES OF THE STATUTE, RULE, OR CODE ADOPTED BY THE CITY BY REF-
4 ERENCE SHALL BE kept in the office of the city clerk, available
5 for inspection by and distribution to the public. ~~at all times,~~
6 ~~and that the~~ IF A STATUTE OR RULE OF THIS STATE IS ADOPTED BY
7 THE CITY BY REFERENCE AND THE STATUTE OR RULE ADOPTS BY REFERENCE
8 A CODE PROMULGATED BY ANOTHER PUBLIC ENTITY OR A PRIVATE ENTITY,
9 COPIES OF THE CODE ITSELF SHALL ALSO BE KEPT IN THE OFFICE OF THE
10 CITY CLERK, AVAILABLE FOR INSPECTION BY AND DISTRIBUTION TO THE
11 PUBLIC. THE NEWSPAPER publication OF THE ORDINANCE shall contain
12 a notice ~~to the effect~~ STATING that a complete copy of ~~said~~
13 THE STATUTE, RULE, OR code is available for INSPECTION BY AND
14 DISTRIBUTION TO THE public ~~use and inspection~~ at the office of
15 the city clerk.