

**THE FOURTH CLASS CITY ACT (EXCERPT)**  
**Act 215 of 1895**  
**QUALIFICATIONS, OATH AND BOND OF OFFICE.**

**85.9 City offices; qualifications; defaulters, election or appointment void.**

Sec. 9.

No person shall be elected or appointed to any office unless he be an elector of the city, and if elected or appointed for a ward, he must be an elector thereof; and no person shall be elected or appointed to any office in the city who has been or is a defaulter to the city or to any board or officers thereof, or to any school district, county, or other municipal corporation of the state. All votes for, or any appointment of, any such defaulter shall be void.

**History:** 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 2996 ;-- CL 1915, 2912 ;-- CL 1929, 1836 ;-- CL 1948, 85.9

**85.10 Oath of office.**

Sec. 10.

All officers elected or appointed in the city, within 10 days after receiving notice of election or appointment, shall take and subscribe the oath of office prescribed by the state constitution of 1963 and file the oath with the city clerk.

**History:** 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 2997 ;-- CL 1915, 2913 ;-- CL 1929, 1837 ;-- CL 1948, 85.10 ;-- Am. 1978, Act 539, Imd. Eff. Dec. 22, 1978

**85.11 Bond or security.**

Sec. 11.

Each officer elected or appointed in the city, before entering upon the duties of his or her office and within the time prescribed for filing the official oath, shall file with the city clerk the bond or security required by law, ordinance, or requirement of the council with sureties approved by the council, for the due performance of the duties of that person's office. The bond or security of the clerk shall be deposited with the city treasurer.

**History:** 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 2998 ;-- CL 1915, 2914 ;-- CL 1929, 1838 ;-- CL 1948, 85.11 ;-- Am. 1978, Act 539, Imd. Eff. Dec. 22, 1978

**85.12 Required bond; sufficiency of sureties, inquiry; examination annexed to bond.**

Sec. 12.

The council, or the mayor, or other officer whose duty it shall be to judge of the sufficiency of the proposed sureties of any officer or person of whom a bond or any security may be required by this act or by any ordinance or direction of the council, shall inquire into the sufficiency of such sureties, and may examine them under oath as to their property; such oath may be administered by the mayor, or any alderman, or other person authorized to administer oaths. The examination of any such surety shall be reduced to writing and be signed by him, and annexed to and filed with the bond or instrument to which it relates.

**History:** 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 2999 ;-- CL 1915, 2915 ;-- CL 1929, 1839 ;-- CL 1948, 85.12

### **85.13 New bonds; failure to comply.**

Sec. 13.

The council may also at any time require any officer, whether elected or appointed, to execute and file with the clerk of the city, new official bonds in the same or in such further sums, and with new or such further sureties as said council may deem requisite for the interest of the corporation. Any failure to comply with such requirement shall subject the officer to immediate removal by the council.

**History:** 1895, Act 215, Eff. Aug. 30, 1895 ;-- CL 1897, 3000 ;-- CL 1915, 2916 ;-- CL 1929, 1840 ;-- CL 1948, 85.13