

AN ORDINANCE
of the City Council of the City of Berkley, Michigan, to amend Section 2-2 of
Chapter 2, Administration of the Berkley City Code to clarify the authority to issue
appearance tickets.

THE CITY OF BERKLEY ORDAINS:
CHAPTER 2 – ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. Administrative manual.

The city manager is authorized to adopt such administrative regulations in addition to, but not inconsistent with, the Charter and this Code, as he shall deem necessary and proper to provide for the adequate functioning of all departments. Such regulations shall comprise the administrative manual.

Sec. 2-2. ~~Code enforcement;~~ ~~a~~Appearance tickets.

It is the intent and purpose of this section to identify and authorize certain public servants of the city to issue and serve appearance tickets as provided by Public Act 366 of 1984 (MCL 764.9c, et seq.) and Chapter 87 of Public Act 1961 (MCL 600.8701, et seq.)

Appearance ticket means a complaint or written notice, on a form determined by the attorney general, state court administrator and director of the department of state police as modified with the prior approval of said state officials to accommodate local enforcement and court procedures and practices, issued and subscribed by a police officer or public servant authorized by this section, directing a designated person to appear in a designated local criminal or civil court at a designated future time in connection with an alleged designated violation of a city code for which the maximum permissible penalty does not exceed 1 year in jail and/or fine.

The following ~~ose~~ persons ~~are~~ designated by the city ~~as zoning officer, code enforcement officer, and building inspector are~~ ~~as~~ authorized to issue and serve appearance tickets with respect to misdemeanor and municipal civil infraction ordinance offenses prohibited by this Code: any member of the Department of Public Safety, City Manager, Building Official, Zoning Officer, Code Enforcement Officer, and such other officers employees, inspectors or public servants of the City who are authorized or responsible for the enforcement of one or more City Code pursuant to state law, city codes or resolutions of the City Council when they have reasonable cause to believe that a person has violated a City Code, enforcement of which is the responsibility or iwhtin the authority fo the public servant. ~~other than chapters 10, 14, 22, 30 (articles IX, X, XI), 34, 42, 46, 50, 62, 66, 82, 86, 98, 102, 110, 114, 118, 122 (articles I, II, III) and 134.~~

Sec. 2-3. Approval of legal documents.

The mayor shall sign, the city clerk shall attest to, the city manager shall approve as to substance, and the city attorney shall approve as to form, all contracts and agreements requiring the assent of the city, unless otherwise provided for by law, the Charter, ordinances or the provisions of this Code.

Sec. 2-4. Payment of monies.

All monies belonging to the city shall be paid out in accordance with the Charter, by warrants drawn by the city clerk and countersigned by the mayor or mayor pro tem when acting for the mayor.

ARTICLE II – SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE III - EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE IV: REPEALER.

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

ARTICLE V: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Berkley City Council at a meeting thereof duly called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by the law.

BY:

BY:
