

CHAPTER 26

ELECTED OFFICIALS

26.01 LOCAL OFFICERS COMPENSATION COMMISSION, CREATION; COMPOSITION, POPULATION; QUALIFICATION; TERMS OF OFFICE; TIME OF APPOINTMENT; VACANCIES; ELIGIBILITY RESTRICTION.

There shall be established a Local Officers Compensation Commission which shall determine the salaries of all local elected officials. The Local Officers Compensation Commission shall consist of five (5) members who are registered electors of the City of Lapeer, to be appointed by the Mayor subject to confirmation by a majority of the members elected and serving on the City Commission. The terms of office shall be five (5) years except that of the member(s) first appointed, one (1) shall be appointed for a term of one (1), two (2), three (3), four (4), and five (5) years. All members shall be appointed within thirty (30) days after the effective date of this Ordinance.

Thereafter, members shall be appointed before October 1, of the year of appointment. Vacancies shall be filled for the remainder of the unexpired term. No member or employee of the legislative, judicial, or executive branch of any level of government or any members of the immediate family of such member or employee shall be eligible to be a member of the Commission.

26.02 DETERMINATION OF SALARIES; REJECTION BY LEGISLATIVE RESOLUTION; EFFECTIVE DATE; EXISTING SALARY; EXPENSES.

The Local Officers Compensation Commission shall determine salaries of all such local elected officials which determination shall be the salaries unless the City Commission by resolution adopted by two-thirds (2/3) of the members elected to and serving on the City Commission reject them. The determinations of the Local Officers Compensation Commission shall be effective thirty (30) days following their filing with the City Clerk unless rejected by the City Commission. In case of rejection, the existing salaries shall prevail. Any expense allowance or reimbursement paid to elected officials in addition to salary shall be expenses incurred in the course of City business and accounted for to the City.

26.03 MEETINGS AND TIME OF DETERMINATION; QUORUM; CHAIRMAN; SESSION DAYS; COMPENSATION AND EXPENSES.

The Local Officers Compensation Commission shall meet for no more than fifteen (15) days in 1975 and every odd numbered year thereafter and shall make its determinations within forty-five (45) days of its first meeting. A majority of the members of the Local Officers Compensation Commission constitute a quorum for conducting the business of the Commission. The Local

Officers Compensation Commission shall take no action or make determinations without a concurrence of a majority of the members appointed and serving on the Commission. The Local Officers Compensation shall elect a chairman from among its members. "Session Days" means any calendar day on which the Local Officers Compensation Commission shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

26.04 IMPLEMENTATION BY RESOLUTION; CHANGE OF PROCEDURE, TIME AND METHOD.

The City Commission shall implement this provision 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.

26.05 REFERENDUM OR OTHER PETITIONS; SIGNATURES OF ELECTORS; CONDUCT OF ELECTION; EFFECTIVENESS OF DETERMINATION.

Within sixty (60) days after the effective date of the Ordinance, a petition or a referendum on the Ordinance may be filed in accordance with the procedure provided in the Charter or otherwise by filing a petition with the City Clerk containing the signatures of at least five percent (5%) of the registered electors of such City on the effective date of the Ordinance in which case the election shall be conducted in the same manner as an election on a Charter amendment. If a petition for referendum is filed, any determination of the Local Officers Compensation Commission shall not be effective until the Ordinance has been approved by the electors.

26.06 SUPERSEDING EFFECT OF ORDINANCE.

This Ordinance shall supersede and take precedence over all existing Charter provisions and other ordinances of the City relating to either the fixing of salaries of elected officials or establishing a procedure for the fixing of said salaries, this Ordinance having been adopted pursuant to Act 8 of the Public Acts of 1972, being MSA 5.2084 (3); C.L. '48 117.5c.

26.07 SEVERABILITY.

This Ordinance and each section provision and part thereof are hereby declared to be severable and should any portion thereof be judged invalid or unenforceable by a court of competent jurisdiction, such adjudication shall not affect the remaining provisions of this Ordinance.

26.08 EFFECTIVE DATE.

This Ordinance shall be effective on NOVEMBER 30, 1974.