

COUNTY OF MUSKEGON
COUNTY ORDINANCE POLICY & PROCEDURE

#2006 - 594

I. POLICY

This policy outlines the procedure by which ordinances are either approved, amended or repealed by the Muskegon County Board of Commissioners.

II. APPLICABLE STATUTES

Act 156 of 1851 - MCL 46.11 (j) By majority vote of the members of the county board of commissioners elected and serving, pass ordinances that relate to county affairs and do not contravene the general laws of this state or interfere with the local affairs of a township, city, or village within the limits of the county, and pursuant to section 10b provide suitable sanctions for the violation of those ordinances.....

MCL 46.3a The names and votes of members shall be recorded on action taken by the board of county commissioners or by a committee of the board of county commissioners if the action is on an ordinance or the appointment or election of an officer, except the vote for chairperson may be by secret ballot...

III. PROCEDURE

All ordinances presented to the County Board for approval will have either been written or approved by Corporate Counsel prior to presentation.

All ordinances for approval, amendment or repeal will require a majority vote of those commissioners elected and serving.

A. Format

All ordinances written as of the approved date of this policy and procedure shall be formatted as attached (see attachment A). The number of the ordinance shall be that of the assigned motion number contained with the Full Board minutes which approved the ordinance. If it is an amendment or repeal of an existing ordinance which already has a number assigned, the number will not change. If it is an amendment or repeal of an ordinance which has no number, the motion number contained within the Full Board minutes shall be used.

B. Certification/Publication

All ordinances must be certified by the County Clerk through signature and seal and should be done as soon as possible upon approval by the Full Board.

Once the ordinance, amendment or repeal has been approved by the County Board of Commissioners, notice of the ordinance, amendment or repeal must be published for one day as a public notice in a newspaper of general circulation. (See Attachment B) This will be done by the presenting department. The department will also provide County Administration with an affidavit of publication for the file.

All ordinances will become effective upon the date of publishing unless otherwise stated.

C. Maintenance of Ordinances

The County Administrator's office will maintain an index and notebook of all ordinances approved, amended or repealed by the Full Board.

The County Clerk's office will be responsible for maintaining the "originals" of all ordinances approved, amended or repealed by the Full Board. The County Clerk's office will also make copies available to the public upon request.

/mv

12/6/06

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Format for County Board of Commissioners Ordinances - Plain Paper

First Page

MUSKEGON COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. _____

TITLE: _____

APPROVAL DATE: _____

PUBLISH DATE: _____

PURPOSE:

Last page contains certification

Motion by _____, second by _____, carried, to adopt the foregoing resolution at a regular meeting of the Muskegon County Board of Commissioners held _____ at 3:30 PM.

AYES:

NAYS:

I, _____, Clerk of Muskegon County, State of Michigan, do hereby certify that the above is a true and correct copy of an ordinance adopted by the Muskegon County Board of Commissioners at the _____ regular meeting, in testimony whereof, I have hereunto set my hand and affixed the seal of my office, this _____ day of _____.

, County Clerk

Format for Public Notification of Ordinances

PUBLIC NOTICE

Notice of Ordinance # _____
_____ (Title)

Notice is hereby given that the Muskegon County Board of Commissioners on _____
_____ (Date) adopted ordinance # _____
(Title). This ordinance takes effect upon publication.

Copies of this ordinance are available for public inspection in the County Clerk's office 8:00
AM to 5:00 PM, Monday through Friday, through the Muskegon County _____
Department website located at www. (Department's website here if applicable) and the
County of Muskegon website located at www.co.muskegon.mi.us.

PUBLISH: _____ (Date)

At a regular meeting of the Muskegon County Board of Commissioners, held in the City of Muskegon, County of Muskegon on November 28, 2006 at 3:30 PM in the Commission Chambers.

PRESENT: Aley, Buzzell, Derezinski, Engle, Gill, McMurray, Scolnik, Snider, Wade, Waters, Wisniewski

ABSENT: None

**RESOLUTION AUTHORIZING THE ADOPTION OF THE
COUNTY ORDINANCE POLICY & PROCEDURE**

The following preamble and resolution was offered by Commissioner Aley and supported by Commissioner Engle:

WHEREAS, Act 156 of 1951 sets the powers of the County Board of Commissioners, and

WHEREAS, Section 46.11 and 46.3a specifically address the adoption of ordinances and the manner in which they are adopted, and

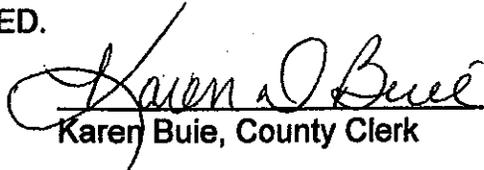
WHEREAS, this policy will outline the procedure to be followed in presenting, approving, publishing and disseminating any ordinances approved, amended, or repealed,

NOW, THEREFORE, BE IT RESOLVED that the Muskegon County Board of Commissioners hereby adopts the attached County Ordinance Policy and Procedure effective November 28, 2006.

AYES: All

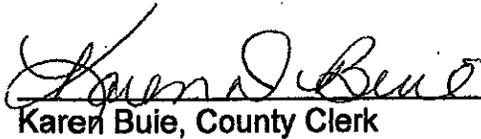
NAYS: None

RESOLUTION DECLARED ADOPTED.



Karen Buie, County Clerk

I hereby certify that the following constitutes a true and complete copy of a resolution adopted by the Muskegon County Board of Commissioners at a regular meeting held on November 28, 2006, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267 of the Public Acts of Michigan of 1967.



Karen Buie, County Clerk