

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend Chapter 1, "General Provisions," of the Code of the City of Flint by amending §§1-8, 1-9 and 1-10.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the provisions of Chapter 1, General Provisions, be revised to amend §§1-8, 1-9 and 1-10, which shall read in their entirety as follows:

**§ 1-8 ENFORCEMENT OF ORDINANCES BY ISSUANCE OF APPEARANCE TICKETS BY AUTHORIZED PERSONNEL.**

The Chief Legal Officer may authorize certain City employees, **OR OTHER SPECIFIED INDIVIDUALS** other than police officers, and Hurley Medical Center Public Safety Officers to issue appearance tickets for the violation of City ordinances. Those so authorized shall be listed ~~by classification~~ and such list shall be kept on file, subject to public inspection, in the City Clerk's office. Such list shall also state the specific City ordinance violations for which said ~~THE~~ employee, **OTHER SPECIFIED INDIVIDUAL**, or Hurley Public Safety Officer may issue appearance tickets. The Chief Legal Officer may make ~~such~~ additions and deletions to said list as are necessary from time to time in the manner specified in § 1-9 of this chapter.

**§ 1-9 PREPARATION OF LIST OF PERSONS AUTHORIZED TO ISSUE APPEARANCE TICKETS.**

The Chief Legal Officer shall prepare a list of those persons, ~~by classification~~, to be authorized to issue municipal civil infraction notices, municipal civil infraction citations or appearance tickets pursuant to § 1-8 of this chapter. Said ~~THE~~ list shall be submitted to the City Council and if not rejected by said ~~THE~~ City Council within thirty (30) days from the date of transmittal, the persons ~~employed in the classifications~~ appearing thereon shall be authorized to issue municipal civil

infraction notices, municipal civil infraction citations or appearance tickets. If the list referred to above is rejected in part, the persons ~~employed in the classifications~~ not rejected shall be authorized to issue municipal civil infraction notices, municipal civil infraction citations or appearance tickets and the persons ~~employed in the classifications~~ rejected shall not have such authority.

**§ 1-10 APPEARANCE TICKETS.**

(a) Officers, employees and other individuals employed ~~by and in the service of the City~~ who are authorized by State law and Flint City Code § 1-8 and § 1-9 to enforce the provisions of this Code, are hereby specifically authorized in accordance with State law, to issue and serve upon a person an appearance ticket. This authorization is contingent upon the authorizing person having reasonable cause to believe that a person has committed a violation of this Code. This authorization is not granted where the issuance of such an appearance ticket is expressly prohibited by the provisions of this Code or applicable State law.

(b) An "appearance ticket," as that term is used in subsection (a), means a complaint, municipal civil infraction or written notice issued and subscribed by a police officer or other authorized person as defined in subsection (a) which directs a person to appear in the local District Court at a designated future date and time in connection with the alleged commission of a violation of this Code for which the maximum permissible penalty does not exceed ~~ninety-three (93) ONE HUNDRED EIGHTY (180) days in jail and/or a fine of five hundred dollars (\$500.00) SEVEN HUNDRED DOLLARS (\$700.00)~~. The appearance ticket shall be numbered consecutively, be in such form authorized by the State Court Administrator and shall consist of the following parts:

- (1) The original, which shall be a complaint or notice to appear by the authorized person, shall be filed with the court;
- (2) The first copy shall be an abstract of court records retained by the court;

- (3) The second copy shall be retained by the appropriate local enforcement agency;
- (4) The third copy shall be issued to the alleged violator.

(c) With the prior approval of the State Court Administrator, the appearance ticket may be appropriately modified as to content or number of copies to accommodate the law enforcement agency and local court procedures and practices.

**Sec. 2. This ordinance shall become effective immediately upon publication.**

Adopted this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ A.D., 2014.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Peter M. Bade, City Attorney

EM SUBMISSION NO.: EME5042014

PRESENTED: 9-9-14

ADOPTED: 9-12-14

**EM DISPOSITION:**

ENACT 

FAIL \_\_\_\_\_

DATED: 9-12-14

  
\_\_\_\_\_  
Darnell Earley, Emergency Manager