

**CHARTER
CITY OF GAYLORD, MICHIGAN
Effective November 25, 1974**

10.000 **PREAMBLE**

We, the people of the CITY OF GAYLORD, commonly known as the "Alpine Village", pursuant to authority granted by the Constitution and statutes of the State of Michigan, in order to procure the fullest benefits of local self-government and otherwise to promote our common welfare, do hereby ordain and establish this Charter to better provide for the interest and welfare of all our people.

10.100 **CHAPTER 1
ORGANIZATION AND POWERS**

10.101 **Sec. 1.1. NAME.**

The official name and title of the City shall be the "City of Gaylord".
(char. eff. Nov. 25, 1974)

10.102 **Sec. 1.2. BOUNDARIES.**

The City shall embrace the territory constituting the City of Gaylord on the effective date of this Charter, together with such annexations thereto and less any detachments therefrom that may be made from time to time. Upon annexation or detachment of territory, the boundaries shall be deemed to be changed without amendment of this section. The clerk shall maintain and keep available in his office an official description and map of the current boundaries of the City for public inspection and distribution.
(char. eff. Nov. 25, 1974)

10.103 **Sec. 1.3. GENERAL POWERS.**

Unless otherwise provided or limited in this Charter, the City and its officers shall be vested with all the powers, privileges and immunities, expressed or implied, which cities and their officers are permitted to exercise or provide for in their Charters under the Constitution and laws of the State of Michigan and of the United States of America. This shall include all powers and immunities which cities have or may have under and by virtue of Act No. 279, Public Acts of 1909, as amended, and also all powers, privileges and immunities conferred upon cities by Act No. 215, Public Acts of 1895, as amended, commonly known as the Fourth Class City Act.
(char. eff. Nov 25, 1974)

10.104 **Sec. 1.4. RETIREMENT SYSTEM.**

The City shall have the power to create and establish a retirement system for the

officers and employees of the City; to provide pensions, annuities and other benefits for the officers and employees of the City and their beneficiaries; to create a board of trustees comprised of three members, one of which shall be selected from among the City employees; to administer the retirement system and prescribe the powers and duties of such board; to provide for contributions to the retirement system by the City and by the officers and employees of the City; to provide for the investment and reinvestment of monies and other assets for the retirement system; and to do and accomplish all other acts necessary in the creation and the operation of such system.
(char. eff. Nov. 25, 1974)

10.105 **Sec. 1.5. MERIT OR CIVIL SERVICE SYSTEM.**

The City may create and maintain a merit or civil service system covering employees of the City. The purpose of the system is to afford all interested persons a fair and equal opportunity for public service, to establish conditions of service which will attract employees of character and capacity, and to increase the efficiency of City departments by the improvements of methods of personnel administration.
(char. eff. Nov. 25, 1974)

10.106 **Sec. 1.6. INDEPENDENT BOARDS.**

The council shall establish by ordinance those independent boards or commissions required by law, and may also establish in like manner, all such other independent boards and commissions, whenever the same are authorized and permitted by law.
(char. eff. Nov. 25, 1974)

10.107 **Sec. 1.7. INTERGOVERNMENTAL CONTRACTS.**

The City shall have the power to join with any governmental unit or agency, or with any number or combination thereof by contract or otherwise, as may be permitted by law, to perform jointly, or by one or more of them, for or on behalf of the others or other, any power or duty which is permitted to be so performed by law or which is possessed or imposed on each governmental unit or agency.
(char. eff. Nov. 25, 1974)

10.200

**CHAPTER 2
ELECTIONS**

10.201 **Sec. 2.1. QUALIFICATIONS OF ELECTORS.**

All residents of the City of Gaylord having the qualification of electors in the State of Michigan shall be electors of the City.
(char. eff. Nov. 25, 1974)

10.202 **Sec. 2.2. ELECTION PROCEDURE.**

The election of all City officers shall be on a non-partisan basis. General election statutes shall apply to and control, as near as may be, all procedures relating to registrations and City elections except as such statutes relate to political parties or partisan procedures, and except as otherwise provided in this Charter.
(char. eff. Nov. 25, 1974)

10.203 **Sec. 2.3. WARDS AND PRECINCTS.**

The City of Gaylord shall consist of three (3) wards. The establishment of which shall be such that each ward shall have equal representation on the council. The City Council shall apportion the wards of the City and make all boundary changes in accordance with the requirements of the statutes and Constitution of Michigan and the Federal Constitution.
(char. eff. Nov. 25, 1974)

10.204 **Sec. 2.4. REGULAR ELECTIONS.**

A regular City election shall be held on the first Tuesday after the first Monday of November of every odd numbered year hereafter, at such place or places as shall be designated by the council.
(char. eff. Nov. 25, 1974)

10.205 **Sec. 2.5. SPECIAL ELECTIONS.**

Special City elections shall be held when called by resolution of the council at least forty-five (45) days in advance of such election, or when required by this Charter or the general laws of the state. Any resolution calling a special election shall set forth the purpose of such election.
(char. eff. Nov. 25, 1974)

10.206 **Sec. 2.6. ELECTION REGISTRATION.**

The general election laws of the State of Michigan shall apply to and control all procedures relating to the registration and City elections except as herein otherwise so specifically provided.
(char. eff. Nov. 25, 1974)

10.207 **Sec. 2.7. ELECTION COMMISSION.**

An election commission is hereby created consisting of the clerk, mayor and the City attorney of which the clerk shall be the chairman. The commission shall have the charge of all activities and duties required by state law and this Charter relating to the conduct of election in the City. In any case where election procedure is in doubt, the election commission shall prescribe the procedure to be followed. The compensation of the commissioners shall be determined in advance by the council and shall be a fixed amount for each election.
(char. eff. Nov. 25, 1974)

10.208 **Sec. 2.8. NOTICE OF ELECTIONS.**

Notice of the time and place of holding any election and of the officers to be elected and the question to be voted upon, shall be given by the clerk as required by general election law.
(char. eff. Nov. 25, 1974)

10.209 **Sec. 2.9. VOTING HOURS.**

The polls of all elections shall be opened and closed at the time prescribed by law for the opening and closing of polls at state elections unless otherwise permitted by law and changed by the council.
(char. eff. Nov. 25, 1974)

10.210 **Sec. 2.10. NOMINATIONS.**

The method of nomination of all officers provided for in this Charter who are elected by the electors of this City shall be by petition. Petitions shall be signed by the number of qualified registered electors equal to one per cent (1%) of those voters in the City who cast a ballot, during the last election, for the office of the Secretary of State, but at no time shall said petitions be signed by less than twenty-five (25) nor more than seventy-five (75) qualified registered electors of the City. No person shall sign his name to a greater number of petitions for any one office than there will be persons elected to said office at said election. Where any signature appears on more petitions than there are candidates to be elected to said office, such names shall be counted only in the order of the respective dates of signing as is shown on the petition. All petitions shall be filed with the City clerk no later than 4:00 p.m. of the 49th day preceding the day of said election. The clerk shall publish notice of the last day permitted for filing nomination petitions, at least one week before, and no more than three weeks before such date.
(char. eff. Nov. 25, 1974)

10.211 **Sec. 2.11. FORM OF PETITION.**

The form of petition shall be similar to that used for state and county officers with

no reference to political parties. Official petition forms shall be prepared and furnished by the clerk.

10.212 **Sec. 2.12. APPROVAL OF PETITION.**

The clerk shall accept for filing only those nominating petitions which in form comply substantially with the statutes of the State of Michigan and contain the required number of signatures for candidates required by this Charter. When petitions are filed by persons other than the person whose name appears thereon as a candidate, they may be accepted for filing when accompanied by the written consent of the person in whose behalf the petition or petitions were circulated. The clerk, shall forthwith after filing of a petition, determine the sufficiency of the signatures on each petition filed, and if he finds that any petition does not contain the required number of legal signatures of registered electors, he shall immediately notify the candidate in writing of the insufficiency of his petition. Each petition which is found by the clerk to contain the required number of signatures of registered electors for candidates shall be marked "In Order", with the date thereof, and he shall notify the candidate whose name appears thereon, in writing.
(char. eff. Nov. 25, 1974)

10.213 **Sec. 2.13. PUBLIC INSPECTION OF PETITIONS.**

All nomination petitions shall be open to the public inspection in the office of the clerk as soon as the clerk has determined the sufficiency or insufficiency of the petition.
(char. eff. Nov. 25, 1974)

10.214 **Sec. 2.14. WITHDRAWAL OF CANDIDATE.**

Any candidate may withdraw by filing a signed statement to such effect with the City clerk not later than Monday noon following the deadline for filing the original petition.
(char. eff. Nov. 25, 1974)

10.215 **Sec. 2.15. FORM OF BALLOTS.**

The form of ballot used in any City election shall conform as nearly as may be to that prescribed by the general election law of the state, except that no party designation or emblem shall appear upon any City ballot. The names of qualified candidates or nominees for each office shall be listed in a single column and shall be rotated systematically on the ballot. In all other respects the printing and numbering of ballots shall conform to the general laws of the state relating to elections.
(char. eff. Nov. 25, 1974)

10.216 Sec. 2.16. **CANVASS OF VOTES.**

In accordance with the state law the Otsego County Board of Canvassers will serve as canvassers for all City elections.
(char. eff. Nov. 25, 1974)

10.217 Sec. 2.17. **TIE VOTES.**

If in any City election, there shall be no choice between candidates by reason of two or more persons having received an equal number of votes, then the Otsego County Board of Canvassers shall name a date within five (5) days after said election for the appearance of such persons for the purpose of determining the election of such candidates by lot, as provided by statute.
(char. eff. Nov. 25, 1974)

10.218 Sec. 2.18. **RECOUNT.**

A recount of the votes cast at any City election for any office or upon any proposition may be held in accordance with the election statutes of the State.
(char. eff. Nov. 25, 1974)

10.219 Sec. 2.19. **RECALL.**

Any elected official may be removed from office by the electors of the City in a manner provided by the general laws of the state. A vacancy created by the recall of any elected official shall be filled in the manner prescribed by law.
(char. eff. Nov. 25, 1974)

10.220 Sec 2.20. **PURITY OF ELECTIONS.**

All laws of the State of Michigan now in force or hereinafter enacted related to the purity of elections, and as to what are lawful and what are unlawful acts shall apply to all elections held under this Charter.
(char. eff. Nov. 25, 1974)