

Chapter 3 - Administrative Service

1. Division of Administrative Service. The administrative service of the City shall be under the supervision and direction of the City Manager, except as otherwise provided by the City Charter, and shall be divided into the following offices and departments, each of which shall be the responsibility of and under the control of a head as listed opposite such office or department:

ADMINISTRATIVE OFFICERS

<u>Office or Department</u>	<u>Official Head</u>
Office of Clerk	City Clerk
Office of Assessor	City Assessor
Office of Treasurer	City Treasurer
Department of Police	Police Chief
Department of Fire	Fire Chief
Department of Law	City Attorney

(Rev. 05-01-1978)

- 1.1. The following City employees shall be responsible for certain functions as provided in this Chapter but shall not be deemed administrative officers as the term is defined in section 3.9 of the Charter.

<u>Office or Department</u>	<u>Official Head</u>
Department of Finance	Finance Director
Department of Public Works	Director of Public Works
Department of Engineering	City Engineer
Department of Building	Director of Buildings and Inspections

(Rev. 02-17-2003)

CLERK

- 1.2. Office of Clerk. This office shall be headed by the City Clerk, who shall serve as Clerk of the Council and perform such other duties for the Council as may be required by it. He/she shall be responsible for the publication, filing, indexing and safe keeping of all proceedings of the Council.

(Rev. 05-01-1978)

- 1.36. Election Records. He/she shall keep and maintain all election records and have custody of all property used in connection with elections.

- 1.37. Other Duties. He/she shall publish all legal notices unless otherwise provided; collect all license fees required by ordinance or statute except as otherwise provided; be the custodian of the official seal; and notify the appointing authority of any board or commission thirty (30) days prior to the expiration of the term of office of any member thereof.

DEPARTMENT OF ACCOUNTING

1.40. Department of Finance. The Department of Finance shall be headed by the Finance Director as accountant for the City. He/she shall examine and audit all accounts against the City and promptly report to the City Council through the City Manager in writing any default or delinquency he/she may discover in the books, records or accounts of any City department. It shall be his duty to examine, verify and approve all accounts against the City. He/she shall not verify or approve for payment any voucher until he/she has verified the correctness of the account for which the same is issued, neither shall he/she approve for payment any account unless the money has been appropriated therefor, nor shall he/she verify or sign any warrant except in accordance with the provisions of the Charter.

(Rev. 05-01-1978)

1.41. Examination of Books. The Finance Director shall have access to all books, records and documents kept by any officer, employee or department of the City. Daily reports of all moneys collected and of the disposition thereof shall be made to the Finance Director by the department or person receiving the same. The books in all departments of the City shall be balanced each calendar month and a report thereon made by the Finance Director to the City Manager.

(Rev. 05-01-1978)

1.42. Reports. The Finance Director shall present to the City Manager at the beginning of each quarter during the fiscal year and whenever required by the City Manager or the City Council at any other time, a detailed statement of the financial condition of the City.

(Rev. 05-01-1978)

ASSESSOR

1.45. Office of Assessor. This office shall be headed by the City Assessor whose duty it shall be to perform all work in connection with the assessing of property and the preparation of all assessment and tax rolls and tax notices.

TREASURER

1.51. Office of Treasurer. This office shall be headed by the City Treasurer whose duty it shall be to:

- a) Have the custody of all moneys of the City, any bond pertaining to the Clerk, and all evidences of indebtedness belonging to the City or held in trust by the City.
- b) Collect all moneys of the City, the collection of which is not provided for elsewhere by Charter or ordinance. He/she shall receive from other

officers and employees of the City all money belonging to and receivable by the City that may be collected by such officers and employees, including fines, license fees, taxes, assessments and all other charges. All money shall be turned over to the Treasurer after collection or receipt, and he/she shall in all cases give a receipt therefor and shall daily present an accounting of receipts to the Finance Director.

- c) Keep and deposit all moneys or funds in such manner and only in such places as the Council may determine and shall report the same in detail to the Finance Director.
- d) Disburse all City funds in accordance with the provisions of the City Charter and this Code.
- e) Perform such other duties as may be prescribed for him by the Council or by the Finance Director.

(Rev. 05-01-1978)

POLICE DEPARTMENT

1.70. Department of Police. The Department of Police shall be headed by the Police Chief, who shall be the commanding officer of the police force. He/she shall direct the police work of the City and be responsible for the enforcement of law and order.

1.71. Functions of Police Department. The police work of the City shall consist of the following functions:

- 1) The operation of motor and foot patrol units for routine investigations and the general maintenance of law and order.
- 2) The maintenance of the central complaint desk at Central Police Headquarters, the maintaining and supervising of police records, criminal and non-criminal identification, property identification, custody of property and the operation of detention quarters.
- 3) The investigation of crimes, elimination of illegal liquor traffic and vice, and the preparation of evidence for the prosecution of criminal cases and offenses in violation of this Code. The Police Department shall enforce all provisions of this Code for which any penalty is provided, as well as all other laws applicable to and in force within the City.
- 4) The prevention and control of juvenile delinquency, the removal of crime hazards and the co-ordination of community agencies interested in crime prevention.

(Rev. 02-05-2001)

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- 5) The control of traffic, traffic educational programs, school patrols, and co-ordination of traffic violation prosecutions.

(Rev. 02-05-2001)

- 1.72. Department Rules. The Police Chief may prescribe rules for the government of police officers of the City, subject to approval by the City Manager, which shall be entered in a book of Police Department rules and orders and may be amended or revoked by the Police Chief upon written notice to the City Manager. Such rules may establish one or more divisions within the Police Department, each of which divisions may be charged with performing one or more of the functions of the Police Department enumerated in Section.

- 1.71. Any such divisions shall be supervised by an officer of the Police Department, who shall be responsible for the particular functions of the Police Department assigned to the particular division supervised by him. It shall be the duty of all members of the Police Force to comply with such rules and orders while effective.

(Rev. 05-01-1978)

- 1.73. Acting Chief. In case of the absence from the City of the Police Chief, or his disability, or inability from any cause, to act as Police Chief, The City Manager shall designate and appoint some other member of the Police Department to act as Chief during such absence or disability.

- 1.74. Delivery to Police Chief. When any person within the City of Troy finds any lost money or any lost personal property of any other nature having apparent value of ten dollars (\$10.00) or more and the owner of said money or personal property is unknown to such finder, the finder shall, within seven (7) days, deliver the said money or personal property to the Police Chief. The said finder shall further, within thirty (30) days from the date of finding such money or personal property, cause notice to be published in a newspaper circulating within the City that such money or personal property has been found, which notice shall briefly describe the property found, and notify the owner that he/she may recover the same upon application to the Police Department making satisfactory identification of himself and the lost property and paying for the cost of the advertisement. If any finder shall fail to give notice of such finding, as herein required, within the time limited, he/she shall forfeit all claims to any property right in said found property which he/she might otherwise have upon termination of the custody of the Police Department under the provisions of this Chapter.

(Rev. 05-01-1978)

- 1.75. Property Record. Whenever any such money or other property shall be received by the Police Chief, he/she shall cause a record of the same to be entered in a book kept for that purpose. Such book shall be a part of the public records of the City of Troy and shall be kept on file in the Police Department.

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(Rev. 05-01-1978)

- 1.76. Notice to Owner. If the identity of the owner shall be learned while such property is in the custody of the Police Department, the Department shall cause to be served upon such owner a written notice informing him that his property has been found and is in possession of the Police Department. Said notice shall advise the owner that unless he/she shall reclaim the property within twenty (20) days from the date of the service of such notice that he/she shall have forfeited any claim to the return of such money or property. Any person making a claim for the return of lost money or property shall establish his ownership to the satisfaction of the Police Chief and such money or property shall be returned to him upon payment of the cost of advertising by the finder or expenses of storage incurred by the Department.

(Rev. 05-01-1978)

- 1.77. Return to Finder. After any lost money or lost personal property shall have been in the custody of the Police Department for sixty (60) days and the owner shall not have been found or has abandoned his claim to the property, and there being no claim of ownership pending against such property, the same may be returned by the Police Chief to the finder thereof, if said finder shall have complied with the provisions of this Chapter regarding lost property, in all respects. No employee of the City of Troy shall be eligible to acquire any property right in any lost money or lost personal property by reason of having found any such money or personal property.

(Rev. 05-01-1978)

- 1.78. Unclaimed Property. As to any property remaining in the custody of the Police Department as to which there are no claims pending and no finder having any rights therein, the Police Chief shall cause said property, except money, to be sold at public auction, reserving the right to reject any or all bids, or to be sold by a system recommended by the City Manager and approved by resolution of City Council. If the unclaimed property is a bicycle, the Police Chief or his/ her designee may donate it to a state licensed charitable organization, or to the Oakland County Sheriff, in connection with any Sheriff operated recognized charitable program as provided in 1959 PA 54, MCL 434.171 et. seq. as amended. By written authorization of the City Manager, unclaimed property may be retained by the City for City use. Notice of the time and place of such sale shall be given by publishing notice thereof in a newspaper of general circulation with the City and posted for ten (10) days in three (3) of the most public places in the City. Such notice shall set forth a full description of said property. The Police Chief is hereby authorized to deliver and convey such property to the successful purchaser upon payment of the full purchase price without any warranty or representation as to title and with the understanding that in the event the rightful owner recovers such property in an action at law against such purchaser, that the liability of the City of Troy shall be limited to the amount paid by said purchaser for such property. The proceeds of all such sales and any money which shall have been held for sixty (60) days against

which there is no claim pending either by any purported owner or by the finder thereof, shall be paid by the Police Chief to the City Treasurer to the credit of the General Fund. The City of Troy may purchase property at any such sale in the same manner as any other bidder.

(Rev. 04-21-2008)

- 1.79. Property to Which Inapplicable. The provisions of this Chapter as to lost property shall not apply to perishable articles which may be sold or destroyed within twelve (12) hours, if unclaimed. This Chapter shall not apply to abandoned vehicles, nor to firearms carried in violation of State Law, nor alcoholic beverages seized by the Department, all of which shall be disposed of in accord with the applicable Statutes. Other dangerous weapons shall be destroyed.

FIRE DEPARTMENT

- 1.91. Department of Fire. The Department of Fire shall be headed by the Fire Chief, who shall be charged with the prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program.
- 1.92. Department Rules. The Fire Chief shall adopt rules and regulations for the government of the Department, subject to the approval of the City Manager, which shall be entered in a book of Fire Department Rules and which may be changed and repealed by the Fire Chief upon notice to and approval by the City Manager. Such rules and regulations shall designate the chain of command for the Department so that in the absence or disability of the Chief, the responsibility for the operation of the Department shall immediately and automatically be vested in the next ranking officer or member of the Department present.
- 1.93. Department Equipment. The Fire Chief shall be responsible for the maintenance and care of all property and equipment used by the Fire Department.
- 1.94. Enforce Fire Laws. It shall be the duty of the Fire Chief to enforce all State laws and provisions of this Code governing the following:
- 1) The prevention of fires.
 - 2) The storage and use of explosives and flammables.
 - 3) The maintenance of fire alarm systems, both automatic and private, and all fire extinguishing equipment.
 - 4) The maintenance and use of fire escapes.

- 5) The maintenance of fire protection and the elimination of fire hazards in all buildings and structures.
- 6) The maintenance and adequacy of fire exits from factories, schools, hotels, asylums, hospitals, churches, halls, theatres and all other places in which numbers of persons work or congregate for any purpose.
- 7) Structures erected and uses conducted on premises located within the fire limits.

1.95. Other Duties. The Fire Chief shall perform the following duties:

- 1) Investigate the origin, cause and circumstances of all fires.
- 2) Issue all orders necessary for the enforcement of State laws and provisions of this Code.
- 3) Require and supervise from time to time fire drills from all schools and educational institutions as required by law.

DEPARTMENT OF HEALTH

1.101. Department of Health. The Oakland County Health Department shall be responsible for all health related matters.

(Rev. 02-17-2003)

DEPARTMENT OF PUBLIC WORKS

1.111. Department of Public Works. The Department of Public Works shall be headed by the Director of Public Works who shall be experienced in municipal engineering works and responsible to the Assistant City Manager for Services. The Department of Public Works shall include the Division of Streets, and the Division of Water Supply and Sewer Facilities. The Director of Public Works shall have charge of all such divisions.

(Rev. 02-17-2003)

A. Division of Streets. The Division of Streets shall be under the direction of the Director of Public Works and shall be headed by the Superintendent of Streets. He/she shall be in charge of the maintenance of all improved and unimproved streets and surfaces, the cleaning of improved streets, the removal of snow and the construction and maintenance of sidewalks.

(Rev. 02-17-2003)

B. Division of Water Supply and Sewer Facilities. The Division of Water

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Supply and Sewer Facilities shall be under the direction of the Director of Public Works and shall be headed by the Superintendent of Water Supply and Sewer Facilities. He/she shall have charge of the construction, operation and maintenance of the City sewage system and shall be responsible for the construction, operation and maintenance of City water mains and connections and other facilities pertaining to the water distribution system. He/she shall have charge of the pumping of the water into and through the City water distribution system.

(Rev. 02-17-2003)

- 1.112. Department of Engineering. The Department of Engineering shall be headed by the City Engineer who, shall be headed by a competent civil engineer and responsible to the Assistant City Manager for Services. The Engineering Department shall include the Traffic Division. The City Engineer shall be responsible for all matters relating to construction of all the physical properties of the City except as provided elsewhere in this Code. The City Engineer shall also be responsible for planning in connection with such changing or improvements to the physical properties of the City as are consistent with and necessary to the future growth and development of the City. This department shall perform such engineering services for the City and for such other departments of the City as may be required.

(Rev. 02-17-2003)

DEPARTMENT OF LAW

- 1.131. Department of Law. This Department shall be headed by the City Attorney who shall be the legal advisor to the Council, the City Manager and to other departments and officers of the City through the City Manager. He/she shall represent the City in all legal proceedings or matters in which the City is interested. He/she shall attend the meetings of the City Council.

(Rev. 04-08-1985)

- 1.141(1) A City of Troy Police Service Aide assigned to Road Patrol Duty shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 16:	Garbage and Rubbish
Chapter 26:	Parks - General Regulations
Chapter 29:	Cemetery
Chapter 39:	Zoning (provisions related to the parking of vehicles)
Chapter 47:	House Trailers and Trailer Courts
Chapter 48:	Litter
Chapter 75:	Pet Shops
Chapter 88:	Nuisances

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Chapter 90:	Animals
Chapter 98.07.01:	Hunting
Chapter 98-07.02:	Trapping
Chapter 106:	Traffic (Provisions related to the parking of vehicles)

(Rev. 03-01-2006)

- 1.141(2) City of Troy Police Service Aide assigned to Lock-up shall have authority to issue and serve upon a person an appearance ticket if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 98.06.01:	Hinder, Obstruct or Resist Police
Chapter 98.06.02:	Hinder Police by False Identification
Chapter 98.06.03:	False Statement or Report to Police

(Rev. 02-05-2001)

- 1.141(5) A City of Troy Water and Sewer Division Supervisor shall have the authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 18:	City Water Utility
Chapter 19:	City Sewer Service
Chapter 20:	Water and Sewer Rates
Chapter 23:	Municipal Separate Storm Sewer System
Chapter 33:	Streets

(Rev. 11-25-2019; Effective 12-05-2019)

- 1.141(6) A City of Troy Building Department Inspector shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code.

Chapter 2:	House Numbering and Street Naming
Chapter 13:	Historic Preservation
Chapter 16:	Garbage and Rubbish
Chapter 18:	City Water Utility
Chapter 19:	City Sewer Service
Chapter 20:	Water and Sewer Rates
Chapter 23:	Municipal Separate Storm Sewer System
Chapter 39:	Zoning
Chapter 47:	House Trailers and Trailer Courts
Chapter 48:	Litter
Chapter 61:	Temporary Merchant Business

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Chapter 64:	Gasoline Stations
Chapter 67:	Dances and Dance Halls
Chapter 68:	Amusements and Recreation Places
Chapter 69:	Miscellaneous Licensed Businesses
Chapter 70:	Self Service Laundries and Dry Cleaners
Chapter 71:	Auto Wash
Chapter 73:	Drive-In Restaurant
Chapter 76:	Adult Use Businesses Licenses (07-09-07)
Chapter 77:	Smoking Lounges (08-06-07)
Chapter 79:	General Building Regulations
Chapter 82:	Property Maintenance Regulations
Chapter 82-A:	Rental and Dwelling Inspection and Enforcement
Chapter 82-B:	Dangerous Buildings
Chapter 83:	Fences
Chapter 85:	Signs
Chapter 88:	Nuisances
Chapter 93:	Fire Prevention (provisions related to building codes)
Chapter 97:	Coin-Operated Amusement Devices and Arcades

(Rev. 11-25-2019; Effective 12-05-2019)

- 1.141(7) A City of Troy Fire Department Staff Lieutenant, Deputy Fire Chief or Fire Chief shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

(Rev. 11-21-2022; Effective 12-08-2022)

Chapter 2:	House Numbering and Street Naming
Chapter 23:	Municipal Separate Storm Sewer System
Chapter 61A	Film Production (provisions related to fire safety)
Chapter 67:	Dances and Dance Halls (provisions related to fire safety)
Chapter 68:	Amusements and Recreation Places (provisions related to fire safety)
Chapter 69:	Miscellaneous Licensed Businesses (provisions related to fire safety)
Chapter 70:	Self Service Laundries and Dry Cleaners (provisions related to fire safety)
Chapter 79:	General Building Regulations (provisions related to fire safety)
Chapter 82:	Property Maintenance Regulations (provisions related to fire safety)
Chapter 82A:	Rental and Dwelling Inspection and Enforcement (provisions related to fire safety)
Chapter 82B:	Dangerous Buildings (provisions related to fire safety)
Chapter 84:	Garbage, Rubbish, and Refuse Transfer Station

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- Chapter 3: (provisions related to fire safety)
Administrative Service 3-11 (provisions related to fire safety)
- Chapter 88: Nuisances (provisions related to fire safety)
- Chapter 93: Fire Prevention
- Chapter 97: Coin-Operated Amusement Devices and Arcades
(provisions related to fire safety)
- Chapter 103: Alarm Ordinance
- Chapter 106: Traffic (provisions related to fire safety)
- (Rev. 11-21-2022; Effective 12-08-2022)

1.141(8) A City of Troy Engineer, Surveyor, Inspector Supervisor or Engineering Specialist (II and III) shall have authority to issue and serve upon a person an Appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

- Chapter 17: Rubbish Fill Operation
- Chapter 23: Municipal Separate Storm Sewer System
- Chapter 34: Sidewalks
- Chapter 42: Flood Plain Management
- Chapter 79: General Building Regulations
- Chapter 80: Soil Removal and Fill
- Chapter 86: Soil Erosion and Sedimentation Control
- (Rev. 11-25-2019; Effective 12-05-2019)

1.141(9) The City of Troy Director of Public Works, Superintendent of Parks, Streets, and Drains Operations Manager or the Parks Division Field Supervisor shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

- Chapter 23: Municipal Separate Storm Sewer System
- Chapter 28: Tree Regulations
- Chapter 29: Cemetery
- Chapter 39: Zoning
(provisions related to landscaping)
- Chapter 41: Subdivision Control
(provisions related to landscaping)
- Chapter 61A: Film Production
(provisions related to filming on public parks and public lands)
- (Rev. 11-25-2019; Effective 12-05-2019)

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1.141(10) The Zoning Administrator, or his/her designee, a Housing and Zoning Inspector, and the Inspector Supervisor shall have authority to issue and serve upon a person an appearance ticket, a Municipal Civil Infraction notice of violation, and/or a Municipal Civil Infraction citation, if he/she has reasonable cause to believe that the person has committed a violation of any of the following provisions of the Troy City Code:

Chapter 16:	Garbage and Rubbish
Chapter 23:	Municipal Separate Storm Sewer System
Chapter 34:	Sidewalks and Driveway Approaches
Chapter 39:	Zoning
Chapter 47:	House Trailers and Trailer Courts
Chapter 61:	Temporary Merchant Business
Chapter 6A:	Film Production
Chapter 64:	Gasoline Stations
Chapter 67:	Dances and Dance Halls
Chapter 69:	Miscellaneous Licensed Businesses
Chapter 73:	Drive-In Restaurant
Chapter 76:	Adult Use Businesses Licenses
Chapter 79:	General Building Regulations
Chapter 82:	Property Maintenance Regulations
Chapter 82-A:	Rental and Dwelling Inspection and Enforcement
Chapter 82-B:	Dangerous Buildings
Chapter 83:	Fences
Chapter 85:	Signs
Chapter 88:	Nuisances
Chapter 90:	Animals
Chapter 93:	Fire Prevention
Chapter 97:	Coin-Operated Amusement Devices and Arcades

(Rev. 11-25-2019; Effective 12-05-2019)